Message from the President

Dear CIPL Members,

With many of our members heads down with the preparation for the GDPR implementation date, we at CIPL have been continuing to inform and build bridges between different stakeholders, to help develop consistent and forward thinking interpretations of the new obligations and to promote accountability and best practices in implementing the new requirements. As part of our GDPR Implementation Project, CIPL has submitted several consultation papers to the Article 29 Working Party (WP29) on: Binding Corporate Rules Working Documents, its Transparency Guidelines, Consent Guidelines and Guidelines on the Accreditation of Certification Bodies. CIPL has also submitted our white paper on GDPR Implementation in Respect of Children’s Data and Consent to the WP29 and UK ICO, and released a Factsheet on the key issues relating to the relationship between the proposed ePrivacy Regulation and the GDPR. We’ve also released our 2nd GDPR Readiness Survey Report in collaboration with AvePoint. In January, CIPL held an extensive workshop in Dublin with the Irish Data Protection Commissioner on delivering accountability under the GDPR. Beyond our work on GDPR, CIPL has launched a new project on Accountable AI to provide a more nuanced and detailed understanding of the opportunities presented by AI, potential misalignment with data protection laws, and practical and operational controls to address these issues through the lens of organisational accountability. AI will also be the focus of CIPL’s 2018 Annual Executive Retreat, which is being held from 25-27 June in San Francisco in the margins of the 49th Asia-Pacific Privacy Authorities (APPA) Forum. Please, save these dates. Finally, our CIPL team is growing to be able to support your growing needs and demand for our work – and that is a great thing! We have hired Nathalie Laneret, former Group DPO CapGemini, as Director of Global Privacy Policy. She has just started on 7 May, and will be based in Brussels and Paris. I am confident she will further enhance CIPL’s impact in Europe and beyond. I encourage you to read the details of CIPL’s ongoing work below, and I look forward to seeing many of you at our Retreat this summer.

I. CIPL/Irish Data Protection Commission Workshop in Dublin, Ireland

On 23 January, CIPL held a workshop in association with the Irish Data Protection Commission addressing "How Organisations Can Deliver Accountability under the GDPR". This workshop covered how to implement the essential elements of accountability throughout organisations of all sizes, effective approaches in risk management, including how to conduct data protection impact assessments and the legitimate interest balancing test, how to provide effective transparency to individuals, manage individual rights and respond to complaints, as well as how to prepare for and manage security breaches. The workshop also highlighted and demonstrated accountability in practice through interactive discussions and presentations from the Irish Data Protection Commission and companies.
II. CIPL Roundtable on Children's Data under the GDPR in London, UK

On 12 February, CIPL hosted a roundtable discussion with the UK ICO and the Irish Data Protection Commission on Children's Data under the GDPR. This was an informal discussion, during which participants addressed the key challenges associated with implementing the GDPR's requirements pertaining to children, including the issues of obtaining parental consent on behalf of children, verification of parental responsibility, and related issues. Specific topics included GDPR Article 8 (conditions applicable to a child’s consent), the WP29's recent consent guidelines addressing Article 8, and the UK ICO consultation paper on children and the GDPR. The issues explored during this Roundtable informed CIPL's white paper on “GDPR Implementation in Respect of Children’s Data and Consent”.

For more details on the Roundtable, please see the roundtable agenda.

III. APEC Electronic Commerce Steering Group and Data Privacy Subgroup Meetings in Port Moresby, Papua New Guinea

On 26 February – 1 March, Markus Heyder participated in the meetings of the APEC Electronic Commerce Steering Group (ECSG) and its Data Privacy Subgroup (DPS) in Port Moresby, Papua New Guinea to discuss issues relating to the ongoing implementation of the APEC Cross-Border Privacy Rules (CBPR) and Privacy Recognition for Processors (PRP) systems, as well as their interoperability with the GDPR. He also participated in a meeting on the ongoing collaboration between the DPS and the European Union concerning interoperability between APEC and EU-based transfer mechanisms, where he spoke, among other issues, on the status of GDPR implementation in the EU.

On 7 March, CIPL President Bojana Bellamy participated in the US-India Business Council’s day-long workshop entitled “Privacy and Growth in a Global Economy” with the US Federal Trade Commission to discuss the American privacy regime, emerging trends, and international best practices. The workshop included US and Indian government policy makers and experts from industry, academia, and civil society. This event was open to the public, and participants explored how the global privacy community can offer insights and experience to India as the nation develops its own privacy framework. During the workshop, Bojana Bellamy spoke on “Consumers, the Cloud & Cross-Border Data Transfers”.

V. CIPL Brazil Delegation Visit in Washington, DC

On March 14, CIPL hosted in its Washington, DC office a delegation from Brazil participating in the US Department of State’s International Visitor Leadership Program. During the meeting, CIPL principals, member companies and the Brazilian delegation comprising representatives from government, industry and academia discussed the importance of a central data protection authority as well as strategies for effective data protection regulation based on CIPL’s white paper “Regulating for Results – Strategies and Priorities for Leadership and Engagement”. The Brazilian delegation members also provided an update on the status and next steps in the development of a Brazilian data protection law.

VI. CIPL/Hunton Andrews Kurth Reception in the margins of the 2018 IAPP Global Privacy Summit in Washington, DC

CIPL and Hunton Andrews Kurth’s Global Privacy and Cybersecurity team held a joint Reception during the IAPP Global Privacy Summit on March 27th, 2018. CIPL was honored to have Andrea Jelinek, the newly elected Chair of the Article 29 Working Party (WP29) provide opening remarks, along with Lisa Sotto, Partner, Hunton Andrews Kurth, Giovanni Buttarelli, the European Data Protection Supervisor and Isabelle Falque-Pierrotin, President of the
CNIL and former WP29 Chair. Special guests at the reception also included over fifteen data protection authorities from Austria, Canada, the EDPS, France, Hong Kong, Hungary, Israel, Ireland, Singapore, and the United States.

VII. CIPL Launch Meeting for Artificial Intelligence Working Group in Washington, DC

On 28 March, CIPL held its first dedicated Working Session on Artificial Intelligence and Accountable Machine Learning organised as part of CIPL’s newest project on "Artificial Intelligence and Data Protection: Delivering Sustainable AI Accountability in Practice".

This Working Session brought together CIPL leadership, CIPL members and CIPL Senior Policy Advisor Fred Cate, who is leading the project, to discuss the scope and nature of the project and key data protection issues as they relate to the use of AI in the modern information age. This session also provided members with an opportunity to contribute initial input into CIPL’s draft AI project white paper.

Discussion topics included opportunities and challenges presented by AI in the modern digital economy, the potential misalignment of certain AI practices with data protection laws, and practical ways to address these issues through the lens of organisational accountability.

For more details on the Working Session, please see the Working Session agenda.

VIII. CIPL Responses, Public Comments, Articles and Other Events

Over the past three months, CIPL prepared the following public comments, published the following papers/articles and held, or spoke at, the following events:

- 17 January – CIPL submitted its response to the WP29’s “Working Documents Setting Up tables for Binding Corporate Rules and Processor Binding Corporate Rules” adopted on 29 November 2017
• 18 January – Bojana Bellamy participated in the launch meeting of “Ethical Business Practice and Regulation – A Behavioural and Values-Based Approach to Compliance and Enforcement” book by Christopher Hodges & Ruth Steinholtz (London)

• 22 January – Bojana Bellamy spoke at LinkedIn’s meeting on “How can the GDPR help drive customer trust and satisfaction” (Dublin)

• 23 January – CIPL held its workshop in association with the Irish Data Protection Commission on “How Organisations Can Deliver Accountability under the GDPR” (Dublin)


• 24 January – Bojana Bellamy participated in Intel and the Center for Democracy and Technology’s Joint Dinner on “Privacy, Ethics and Technology” (Brussels)

• 25 January – Bojana Bellamy spoke on a panel on “How Your Favorite Apps Have and Will Change with GDPR and ePrivacy” at the Computers Privacy and Data Protection (CPDP) Conference (Brussels)

• 26 January – CIPL held a joint Lunch meeting with Hunton Andrews Kurth on Data Breach Notification (Brussels)

• 29 January – CIPL submitted its response to the WP29’s “Guidelines on Transparency” adopted on 28 November 2017

• 29 January – CIPL submitted its response to the WP29’s “Guidelines on Consent” adopted on 28 November 2017

• 30 January – CIPL submitted its response to the India Ministry of Electronics and Information Technology’s White Paper on a Data Protection Framework for India

• 31 January – Bojana Bellamy spoke at Cisco’s GDPR Panel on “ Delivering Business Value with Data Protection and Privacy” (Barcelona)

• 2 February – CIPL held its February First Friday Call

• 7-8 February – Bojana Bellamy participated in the Internet Commission’s Briefings by the London School of Economics (London)

• 12 February – CIPL held its Roundtable on Children’s Data under the GDPR (London)

• 20 February – Bojana Bellamy participated in Oxford’s “Ethical Business Practices & Regulation” Meeting (London)

• 21 February – CIPL held its first India Working Group Call

• 22 February – Bojana Bellamy spoke at Internet Society’s Webinar on “GDPR: Novelties, Challenges & Opportunities”

• 23 February – Bojana Bellamy participated in the 2018 DMA Data Protection Summit (London)

• 26 February – Bojana Bellamy participated in GSMA’s Reception on “Powering Innovation” (Barcelona)

• 27 February – Bojana Bellamy participated in the “Regulating Cross-Border Data Flows” panel at the 2018 GSMA Mobile World Congress (Barcelona)
• 27 February – Bojana Bellamy moderated a panel on “Increasing Consumer Trust through Smart Data Privacy Policies” at the 2018 GSMA Mobile World Congress (Barcelona)

• 28 February – Bojana Bellamy participated in the “Privacy Challenges In The Internet Of Things: Providing Consumers With Transparency And Control In A Connected World” Panel at GSMA Mobile World Congress (Barcelona)

• 26 February-2 March – Markus Heyder spoke at the APEC Electronic Commerce Steering Group and Data Privacy Subgroup Meetings (Port Moresby)

• 6 March – CIPL submitted its white paper on GDPR Implementation in Respect of Children’s Data and Consent to the ICO and WP29

• 7 March – Bojana Bellamy spoke at the US FTC/US-India Business Council’s Workshop on “Privacy and Growth in a Global Economy” Workshop (New Delhi)

• 8 March – Bojana Bellamy participated in the Data Security Council of India’s Meeting (New Delhi)

• 14 March – CIPL hosted a Brazil Delegation Meeting (Washington, DC)

• 16 March – Bojana Bellamy participated in the Internet Commission’s Advisory Board Meeting (London)

• 16 March – CIPL held its March First Friday Call

• 20 March – CIPL issued its Factsheet on the Key Issues Relating to the Relationship between the Proposed ePrivacy Regulation and the GDPR

• 26 March – CIPL and AvePoint released their 2nd GDPR Readiness Survey Report

• 26 March – Markus Heyder spoke at a workshop on the APEC Cross-Border Privacy Rules organized by the Chamber of Commerce, the Information Technology Industry Council (ITI) and TrustArc

• 26 March – Bojana Bellamy participated in the Brookings Institute’s Dinner Discussion on “the Flow of Information Across Borders” (Washington, DC)

• 27 March – CIPL and Hunton Andrews Kurth held a Joint Reception in the margins of the 2018 IAPP Global Privacy Summit

• 28 March – Bojana Bellamy spoke at CIPL’s panel on "Regulating for Results: Effective Use of Both Carrot and Stick" at the 2018 IAPP Global Privacy Summit (Washington, DC)

• 28 March – CIPL held its first Artificial Intelligence Working Group Meeting (Washington, DC)

• 29 March – CIPL submitted its response to the WP29’s “Draft Guidelines on the Accreditation of Certification Bodies under the GDPR” adopted on 6 February 2018

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2018 Upcoming Events

Click here to see the Calendar of Events

<p>| 7 June | CIPL Accountable AI Roundtable at Brussels Tech Summit (Brussels) |</p>
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<thead>
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<th>Event</th>
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<tr>
<td>Mid-June</td>
<td>CIPL Webinar with Irish Data Protection Commission on GDPR Implementation Priorities (TBD)</td>
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<td>20 June</td>
<td>CIPL Webinar on CJEU Court Cases</td>
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<tr>
<td>25 June</td>
<td>CIPL Closed Members-Only Pre-Retreat Meeting (San Francisco)</td>
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<td>26 June</td>
<td>CIPL Reception and Dinner (San Francisco)</td>
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<td>27 June</td>
<td>CIPL Annual Executive Retreat in the margins of APPA meetings (San Francisco)</td>
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<td>13 July</td>
<td>First Friday Call</td>
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<td>23-24 July</td>
<td>IAPP Asia Privacy Forum (Singapore)</td>
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<tr>
<td>25 July</td>
<td>Singapore Personal Data Protection Commission Seminar (Singapore)</td>
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<tr>
<td>26 July</td>
<td>CIPL Workshop on Accountability in Practice in the margins of the IAPP Asia Privacy Forum (Singapore)</td>
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<tr>
<td>Late August/Early September</td>
<td>APEC Electronic Commerce Steering Group/Data Privacy Subgroup Meetings (Papua New Guinea)</td>
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<tr>
<td>7 September</td>
<td>First Friday Call</td>
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<tr>
<td>Mid-September</td>
<td>CIPL Accountability Workshop (The Hague, TBD)</td>
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<td>18 September</td>
<td>Asia Working Group Call</td>
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<td>20 September</td>
<td>Latin America Working Group Call</td>
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<tr>
<td>22-26 October</td>
<td>40th International Conference of Data Protection &amp; Privacy Commissioners (ICDPPC) (Brussels)</td>
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<td>Date TBD</td>
<td>CIPL Side Event in the margins of 40th ICDPPC</td>
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**Member Spotlight**

We welcome and thank our newest member:

**IAC Applications**

Visit our website [Centre for Information Policy Leadership](http://www.informationpolicycentre.com)

Visit the Hunton Andrews Kurth [Privacy and Information Security Law Blog](http://www.huntonandrewskurth.com)

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Message from the President

Dear CIPL Members,

With the implementation of the GDPR, we have entered a new data protection regime, and we at CIPL have been continuing to inform and build bridges between different stakeholders, to help develop consistent and forward thinking interpretations of the new obligations and to promote accountability and best practices in implementing the new requirements. To assist with GDPR implementation efforts, CIPL continues to engage with public and private sector stakeholders, and to that end we have submitted a response to the UK ICO’s GDPR DPIA Guidance, and held a special GDPR session with the New York Privacy Officers Forum in New York City. Outside of the GDPR, we have also released a study on the proposed ePrivacy Regulation prepared by Normally, a UK design studio, and delved further into our new project on Accountable Artificial Intelligence and Data Protection. CIPL firmly believes that AI is the next frontier for global privacy discussions, and we’ve been hard at work to provide a more nuanced and detailed understanding of the opportunities presented by AI, potential misalignment with data protection laws and practical ways to address these issues through the lens of organisational accountability.

Lastly, I’d like to extend a special welcome to Ramy Houssaini, Chief Cyber and Technology Risk Officer and Group DPO at BNP Paribas, who has joined CIPL membership at the advisory level. As an advisory level member, Ramy and his team will help advise CIPL across all our global initiatives and work streams.

I encourage you to read the details of CIPL’s ongoing work below, and I look forward to seeing many of you in the coming months.

SAVE THE DATES

CIPL Exclusive Pre-Workshop Dinner
4 October 2018
Paris

CIPL Workshop Co-Hosted by AXA on Accountability under the GDPR
5 October 2018
Paris

EFPIA, CIPL and FPF Side Event on Health Research and the GDPR
22 October 2018
Brussels

CIPL Industry-Only AI Roundtable
23 October 2018
Brussels

CIPL Official Side Event on “The Concept of Fairness in Data Protection” at 40th ICDPPC (Brussels)
23 October 2018
Brussels

I. CIPL/New York Privacy Officers Forum Special Session on “GDPR Implementation: Looking Beyond May 25th” in New York City

On 31 May, less than one week after the GDPR implementation deadline, CIPL held a special working session alongside the New York Privacy Officers Forum (NYPOF) in New York City to discuss GDPR compliance. CIPL President Bojana Bellamy lead the discussion. During the session, over 60 participants discussed key areas of focus for compliance with the GDPR, how to navigate accountability and risk assessment, what to expect from regulators, and sustainable compliance post-May 2018.
II. CIPL Roundtable on “Accountable AI: Solutions for Data Privacy and Innovation in Europe” in Brussels

On 7 June 2018, CIPL held a special, invitation-only Roundtable on accountable AI at the Brussels Tech Summit. This two-hour Roundtable brought together leaders and experts from companies, data protection authorities and the EU Commission to discuss “Accountable AI: Solutions for Data Privacy and Innovation in Europe”. Over three dozen public and private sector representatives discussed AI’s current and future role in society, the challenges and data protection risks of AI that may raise issues of public trust, ethics and legal compliance with the GDPR, and the elements of accountable AI.

For more details on the Roundtable, please see the Roundtable agenda and slide deck.

III. CIPL Special Executive Retreat with APPA Privacy Commissioners on Accountable AI in San Francisco

During the week of 25 June 2018, CIPL hosted its annual executive retreat in San Francisco, California. The annual event consisted of a closed pre-retreat session for CIPL members, a CIPL Panel at the APPA Forum Open session followed by a CIPL reception and dinner and a special all day workshop with data protection commissioner members of the Asia Pacific Privacy Authorities (“APPA”) on Accountable AI.

On 25 June 2018, CIPL hosted a closed pre-retreat session for members on global privacy developments at Hunton Andrews Kurth’s San Francisco office. The session consisted of a discussion of current EU General Data Protection Regulation (“GDPR”) implementation, compliance and enforcement issues, the impact of the GDPR on global organisational privacy management programs and the interrelation between the GDPR and ePrivacy. This was followed by a discussion of emerging new privacy laws in Latin America and India, the growth of the APEC Cross-Border Privacy Rules (“CBPR”) and Privacy Recognition for Processors (“PRP”) systems, and developments in EU adequacy negotiations.

On 26 June 2018, CIPL held a panel on Accountable and Interoperable Cross-border Data Flows as part of the 49th APPA Forum Open Session. The panel discussed the many requirements organisations have to contend with when transferring data across borders, the latest updates to the APEC CBPR system and the recently introduced US Clarifying Lawful
IV. CIPL Responses, Public Comments, Articles and Other Events

Over the past three months, CIPL prepared the following public comments, published the following papers/articles and held, or spoke at, the following events:

- 12 April – Bojana Bellamy presented at the Canada Insures Association Webinar with Osler, Harkin & Harcourt LLP
- 12 April – CIPL submitted its response to the UK ICO’s GDPR DPIA Guidance
- 13 April – CIPL held its April First Friday Call
- 16 April – Sam Grogan spoke on “Customer Profiling Under GDPR: What's Allowed, What's Forbidden, and What's Unclear” at the GDPR Essentials Seminar of the 2018 RSA Conference (San Francisco)
- 18 April – Bojana Bellamy participated in Tillburg University’s Stakeholder Workshop on “data protection certification mechanisms, seals, and marks: share your feedback on our study results” (Brussels)
- 24 April - CIPL held a webinar on the CNIL’s GDPR Implementation Priorities
- 25 April – Bojana Bellamy moderated the panel on “Data privacy: from a compliance burden to a strategic asset” at the ABI Corporate Forum Summit (London)
- 1 May – Bojana Bellamy spoke at MetricStream’s GRC Roadshow (London)
- 4 May – CIPL held its May First Friday Call
- 14 May – CIPL released its ePrivacy Regulation Study prepared by Normally
- 14-15 May – Bojana Bellamy chaired the 8th European Data Protection Days (EDPD) Conference (Berlin)
- 16 May – Bojana Bellamy participated in the GDPR Article 8 Working Group’s Inaugural Meeting (London)
- 21 May – Bojana Bellamy spoke on “How Japan Can be a Leading Case in Privacy” and the “Cross-Border Data
Flows” Panel at the Japan Privacy Awareness Symposium (Tokyo)

- 21 May – Nathalie Laneret spoke at the Association of Corporate Counsel's Annual Conference on "Preparing for the GDPR" (Paris)
- 22-23 May – CIPL held industry calls with the US Department of Commerce to discuss the APEC Cross-Border Privacy Rules (CBPR)
- 24 May – Nathalie Laneret spoke at the 2018 Europe Box World Tour (London)
- 25 May – Bojana Bellamy participated in the EU Commission’s GDPR Event (Brussels)
- 29 May – Bojana Bellamy shared a letter to the Unsung Hero of the GDPR – the Data Protection Officer
- 30 May – Bojana Bellamy spoke on GDPR Compliance at the 19th Annual Institute on Privacy and Data Security Law (New York City)
- 31 May – CIPL hosted a Special Session with the New York Privacy Officers Forum on “GDPR Implementation: Looking Beyond May 25th” (New York City)
- 7 June – CIPL held its Roundtable on “Accountable AI: Solutions for Data Privacy and Innovation in Europe” at the Brussels Tech Summit (Brussels)
- 12 June – Bojana Bellamy participated in Veon’s DigiWorld Executive Club Meeting (London)
- 13 June - CIPL held a webinar on the Irish Data Protection Commission’s GDPR Implementation Priorities
- 14 June – Nathalie Laneret spoke on how to face data governance challenges in the new digital world at Informatica’s Symposium on Data Governance and Compliance (Paris)
- 20 June – CIPL held a webinar on Recent and Upcoming Decisions of the European Court of Justice regarding EU Data Protection
- 22 June – Bojana Bellamy spoke on “Proactive Regulatory Enforcement in the New Data Environment” at Osler, Harkin & Harcourt’s Access Privacy Conference (Toronto)
- 25 June – CIPL held its closed, Members-Only Pre-Retreat Working Session (San Francisco)
- 26 June – CIPL held its Executive Retreat Reception & Dinner (San Francisco)
- 27 June – CIPL held its Executive Retreat Workshop on Accountable AI (San Francisco)

2018-2019 Upcoming Events

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<td>22 October</td>
<td>European Federation of Pharmaceutical Industries and Associations (EFPIA) Side Event with CIPL and Future of Privacy Forum (FPF) on Health Research and the GDPR at 40th ICDPPC (Brussels)</td>
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<td>2 November</td>
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<td>12-13 November</td>
<td>Nordic Privacy Arena (Stockholm)</td>
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<td>15 November</td>
<td>CIPL Workshop with the Singapore Personal Data Commission on Data Protection Certifications (Singapore)</td>
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<td>16 November</td>
<td>CIPL/Singapore Personal Data Protection Commission Workshop on Accountable and Sustainable AI (Singapore)</td>
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<td>26-29 November</td>
<td>2018 IAPP Europe Data Protection Congress (Brussels)</td>
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<td>3-4 December</td>
<td>50th Asia-Pacific Privacy Authorities (APPA) Forum (New Zealand)</td>
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<td>7 December</td>
<td>First Friday Call</td>
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<td>30 January—1 February</td>
<td>Computers Privacy and Data Protection (CPDP) Conference (Brussels)</td>
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<td>23 February—8 March</td>
<td>APEC SOM1 Meetings (Santiago)</td>
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<td>March (Date TBD)</td>
<td>IAPP Europe Data Protection Intensive (London)</td>
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<td>2-3 May</td>
<td>IAPP Global Privacy Summit</td>
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**Member Spotlight**

We welcome and thank our newest members:

**BNP Paribas**
**Box**
**Marsh & McLennan Companies, Inc.**
**Thomson Reuters**

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Message from the President

Dear CIPL Members,

With 2019 already fast approaching, we at CIPL are continuing to work hard on developing solutions to pressing data protection issues. As part of our commitment to bring both DPAs and companies into consensus on the elements and role of organisational accountability, CIPL has released two papers this summer on this topic, and held a joint workshop on “Implementing Accountability” with the Personal Data Protection Commission (PDPC) in Singapore.

Going forward, CIPL will continue to emphasise the importance of organisational accountability for effective data protection through additional workshops, white papers and engagement with industry and regulators.

We are also continuing to engage with key stakeholders around the globe on new privacy legislation. To that end, we’ve participated in discussions on the similarities and differences between Brazil’s new data protection law and the GDPR, held a roundtable with EU Council Members on ePrivacy and the GDPR that built on our new Comparative Analysis of the ePrivacy Regulation and the GDPR, and responded to a public consultation on India’s Draft Data Protection Bill.

I encourage you to read the details of CIPL’s ongoing work below, and I look forward to the next opportunity to see you all in person.

SAVE THE DATES

Panel on "Regulatory Approaches to Challenges of AI", moderated by Markus Heyder, at the 50th Asia-Pacific Privacy Authorities (APPA) Forum
4 December 2018
Wellington

New York Privacy Officers Forum (NYPOF) Breakfast Meeting: US Privacy - California and NTIA Consultation and Response
17 January 2018
New York City

CIPL Workshop on “Key Building Blocks for Effective Privacy and Data Protection in the Global Digital Economy”
24 February 2019 (TBC)
Santiago

CIPL 2019 Annual Executive Retreat on the US Privacy Framework
2-3 April 2019
Washington, DC

I. CIPL/Singapore Personal Data Protection Commission Joint Workshop on “Implementing Accountability” in Singapore

On 26 July 2018, CIPL held a joint workshop with the Singapore Personal Data Protection Commission (PDPC) on “Implementing Accountability” in the margins of the PDPC’s 6th Personal Data Protection Seminar. The full day workshop was designed to demonstrate accountability in practice through interactive discussions, practical demonstrations and presentations from experienced data protection practitioners from companies with mature data protection management programmes.

The workshop started with a discussion of key elements of organisational accountability, the role of the data protection officer and best practices for documenting and demonstrating accountability.
This was followed by an examination of practical implementation issues relating to transparency, notification requirements and different legal bases for processing, including the Notification of Purpose and Legitimate Interest bases for processing, as proposed by the Singapore PDPC. A hands-on demonstration of privacy by design and data protection impact assessment case studies and tabletop exercises on transparency followed. The workshop concluded with regulators providing their perspectives and expectations regarding accountability. Over 130 representatives from Asian data protection authorities, industry and academia participated in the workshop.

For more details on the workshop, please see the workshop agenda and slide deck.

II. CIPL Roundtable on “The ePrivacy Regulation: From Impact on the User Experience to Interaction with the GDPR” in Brussels, Belgium

On 11 September 2018, CIPL held a special, invitation-only roundtable on “The ePrivacy Regulation: From Impact on the User Experience to Interaction with the GDPR”. The roundtable brought together experts negotiating the proposed ePrivacy regulation in the Council and top level representatives from industry as well as academia. Building on CIPL’s previous work on the ePrivacy Regulation, including two recent studies prepared by independent experts, the roundtable explored the consequences of the proposed ePrivacy Regulation, including how it will impact the user experience of digital services, individuals generally and organisations from all sectors. Specifically, participants discussed how the proposed ePrivacy Regulation requirements of consent, transparency and choice will affect the user experience and also how the ePrivacy Regulation will complement, overlap or contradict the GDPR.

Participants discuss how the ePrivacy Regulation will affect user experience and how it will complement, overlap or contradict the GDPR

III. Internet Governance Committee and Information and Coordination Center of Ponto BR’s 9th Seminar on Protection of Privacy and Personal Data in São Paolo, Brazil

On 7 August 2018, Bojana Bellamy participated in the Brazil Internet Governance Committee (CGI) and Information and Coordination Center of Ponto BR’s (NIC) 9th Seminar on the Protection of Privacy and Personal Data, which brought together experts from the government, scientific and technological communities. The Seminar was organised in partnership with the Federal Public Prosecutor of São Paolo (MPF/SP), the Center for Teaching in Research and Innovation of the Getúlio Vargas Foundation (FGV) and the Internet Society (ISOC). On 7 August, the first day of the Seminar, Bojana Bellamy spoke on two panels. The first panel was on “GDPR and Convention 108:
The Modernisation Process of Personal Data Protection Norms” alongside the University of Rio de Janiero’s Danilo Doneda, Facebook’s Laura Juanes, and the Council of Europe’s Sophie Kwasny. Bojana Bellamy also spoke on “Regulatory Models for the Application and Supervision of Data Protection Laws”.

For more details on the Seminar, please see the summary on CGI’s website.

IV. Asia-Pacific Economic Cooperation’s (APEC) 7th eCommerce Business Alliance (ECBA) Forum in Xi’an, China

On 19-20 September 2018, Markus Heyder attended the 7th eCommerce Business Alliance Forum, which was hosted by APEC and the Ministry of Commerce of China in Xi’an, Shaanxi Province, China. The theme of the forum was “Inclusive Trade in the Era of Digital Economy”. During the forum, Markus Heyder spoke about approaches to data protection regulation and constructive engagement between data protection regulators. Markus Heyder also participated in the meeting of the 3rd Expert Committee of the APEC eCommerce Business Alliance and was inaugurated as Deputy Chair of this group for a term of four years.

For more details of the ECBA Forum, please see the summary on APEC’s website.

Markus Heyder discusses approaches to data protection regulation and constructive engagement between data protection regulators and industry

Markus Heyder inaugurated in Xi’an, China as Deputy Chair of 3rd Expert Committee of the APEC eCommerce Business Alliance

V. CIPL Responses, Public Comments, Articles and Other Events

Over the past three months, CIPL prepared the following public comments, published the following papers/articles and held, or spoke at, the following events:

- 4 July – CIPL President Bojana Bellamy participated in POLITICO’s London Playbook Breakfast Meeting on “How to Make the UK Tech Industry a Force for Good” (London)
- 4 July – CIPL submitted its response to the Irish Data Protection Commission’s DPIA Consultation
- 10 July – CIPL Global Privacy Policy Analyst Sam Grogan spoke on a webinar on “Kids and the GDPR: Special Considerations” with Phyllis Marcus, Partner, Hunton Andrews Kurth for the American Bar Association’s GDPR Minutes Series
• 10 July – CIPL submitted its response to the European Data Protection Board’s Draft Certification Guidelines
• 23 July – CIPL issued a white paper on “The Case for Accountability: How it Enables Effective Data Protection and Trust in the Digital Society”
• 23 July – CIPL issued a white paper on “Incentivising Accountability: How Data Protection Authorities and Law Makers Can Encourage Accountability”
• 23-24 July – CIPL held two calls to discuss CIPL Member & GDPR Project Participant experiences, concerns, concrete examples, and next steps regarding high risk processing & DPIAs
• 24 July – CIPL published a Comparative Analysis of the ePrivacy Regulation and the GDPR
• 25 July – CIPL President Bojana Bellamy spoke on “Accountability and Transparency in Data Management for Business Competitiveness” at the Singapore Personal Data Protection Commission’s (PDPC) 6th Personal Data Protection Seminar (Singapore)
• 26 July – CIPL held a joint workshop with the Singapore Personal Data Protection Commission (PDPC) on “Implementing Accountability” (Singapore)
• 26 July – CIPL held a joint dinner with OneTrust for “Implementing Accountability” workshop speakers (Singapore)
• 7 August – CIPL President Bojana Bellamy spoke on GDPR Implementation at the Internet Governance Committee (CGI) and Information and Coordination Center of Ponto BR’s (NIC) 9th Seminar on the Protection of Privacy and Personal Data (São Paolo)
• 8 August – CIPL President Bojana Bellamy spoke at the Brazil International Chamber of Commerce’s (ICC) Roundtable on “the Impacts of GDPR in the EU Economy and Trade” (São Paolo)
• 9 August – CIPL submitted comments to the European Data Protection Board on Data Protection Authorities’ Draft List of Types of Data Processing Operations which Require or Do Not Require a Data Protection Impact Assessment
• 11 September – CIPL held its Roundtable on “the ePrivacy Regulation: From Impact on the User Experience to Interaction with the GDPR” (Brussels)
• 19-20 September – CIPL Vice President and Senior Policy Counselor Markus Heyder spoke at the APEC 7th eCommerce Business Alliance Forum (Xi’an) and participated in the meeting of the Expert Committee of the APEC eCommerce Business Alliance
• 26 September – CIPL President Bojana Bellamy spoke at Hunton Andrews Kurth’s Breakfast Seminar on “Clearing Up Cookie Chaos: Practical Approaches to Consent under the e-Privacy Directive and GDPR” (London)
• 26 September – CIPL submitted its response to the India Ministry of Electronics and Information Technology’s Draft Data Protection Bill

2018-2019 Upcoming Events

Click here to see the Calendar of Events

<p>| 4 December | Panel on &quot;Regulatory Approaches to Challenges of AI&quot;, moderated by Markus Heyder, at the 50th Asia-Pacific Privacy Authorities (APPA) Forum (Wellington) |</p>
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<td>4 December</td>
<td>Panel on Asia-Pacific Privacy Developments, moderated by Markus Heyder, at the New Zealand Privacy Commissioner's International Privacy Forum (Wellington)</td>
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<td>7 December</td>
<td>First Friday Call</td>
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<td>17 January</td>
<td>New York Privacy Officers Forum (NYPOF) Breakfast Meeting with Markus Heyder on “US Privacy - California and NTIA Consultation and Response” (New York City)</td>
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<td>24 February (TBD)</td>
<td>CIPL Workshop on “Key Building Blocks for Effective Privacy and Data Protection in the Global Digital Economy” (Santiago)</td>
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<tr>
<td>24 February - 8 March (Date TBD)</td>
<td>APEC 2019 SOM 1 Meetings with participation from Bojana Bellamy and Markus Heyder (Santiago)</td>
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<td>14 March</td>
<td>Panel on “The Indian Data Protection Law: Key Elements and Potential Impact” with Nathalie Laneret at the IAPP 2019 UK Data Protection Intensive (London)</td>
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**Member Spotlight**

We welcome and thank our newest members:

- Adobe
- Truata
- Viacom

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**Visit the Hunton Andrews Kurth** Privacy and Information Security Law Blog

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Message from the President

Dear CIPL Members,

It’s an exciting time in the world of data privacy! CIPL is continuing to work hard to develop global solutions for privacy and the responsible use of data. One of our primary focus areas continues to be the effective implementation of the GDPR through workshops, papers and public consultations and in many other ways. In addition, as part of CIPL’s commitment to develop solutions for the challenges presented by emerging technologies, including AI, we’ve organised or participated in numerous events in Brussels, Singapore and New Zealand. We also released our First AI Report on Artificial Intelligence and Data Protection in Tension last October.

Last but not least, we are also increasing our engagement in the US on developing a new US privacy framework. Among other things, we’ve responded to the US NTIA’s Request for Comment on “Developing the Administration’s Approach to Consumer Privacy”, held a roundtable for CIPL members to discuss what we would like to see in a new US privacy framework, and participated in the FTC hearings on Competition and Consumer Protection in the 21st Century.

I encourage you to read the details of CIPL’s ongoing work below, and I look forward to seeing many of you at our Retreat this spring.

I. CIPL/AXA Workshop on “Accountability under the GDPR: How to Implement, Demonstrate and Incentivise it” in Paris, France

On 5 October 2018, CIPL held a special workshop co-hosted by AXA on “Accountability under the GDPR: How to Implement, Demonstrate and Incentivise it”. Building on CIPL’s previous work on accountability and the key WP29 Opinion on the topic from 2010, the full day interactive workshop explored accountability under the GDPR. Specifically, participants discussed accountability’s benefits for organisations, individuals and regulators as well as its essential elements, particularly in relation to the requirements of the GDPR. The workshop also highlighted practical implementation experiences of organisations and expectations of regulators.

Participants also discussed how to demonstrate accountability, both internally and externally through comprehensive

Former European Data Protection Supervisor Peter Hustinx provides scene setting remarks on accountability
privacy management programs and through certified accountability schemes such as binding corporate rules and the potential for GDPR certifications and Codes of Conduct as further mechanisms to achieve accountability.

Finally, the workshop concluded with a focused discussion on the different types of incentives for accountability, including those already codified in the GDPR, and the important role of regulators in incentivising accountability above and beyond what is required by law, including through innovative regulatory methods and the facilitation of innovative uses of data for accountable organisations.

For more details on the workshop, please see the workshop agenda and slide deck.

II. CIPL/EFPIA/FPF Workshop on “Can the GDPR Work for Health Research?” in Brussels, Belgium

On 22 October 2018, CIPL co-hosted a workshop in Brussels addressing the question: “Can the GDPR Work for Health Scientific Research?” with the European Federation of Pharmaceutical Industries and Associations (“EFPIA”) and the Future of Privacy Forum (“FPF”) to address the challenges raised by the GDPR in conducting scientific health research. Over 100 EFPIA members, policymakers, regulators and representatives from companies participated in the full day workshop.

Cecilia Álvarez, European Data Protection Officer Lead at Pfizer, and Brendan Barnes, Director of Data Protection at EFPIA set the scene for the day’s discussions by emphasising the importance of health research in advancing science, patient welfare and public good, as well as opportunities for digital health activities in Europe. Challenges to such advancement, including the consistent application of the GDPR in the medical research sector, were also highlighted.

Two extensive sessions followed these opening remarks. The first session focused on clinical trials and featured several presentations by industry experts and a panel discussion, moderated by CIPL President Bojana Bellamy. The panel discussed, in particular, the complex regulatory framework surrounding clinical trials, the interaction between the GDPR and the Clinical Trial Regulation (“CTR”), the role of consent under both regulations and operational challenges. The second session addressed the secondary use of data which is indispensable and of significant value for scientific research.

For more details on the Seminar, please see the summary on Hunton Andrews Kurth’s Privacy Blog and to read the key findings from the discussion, please see the Workshop Report.

III. CIPL Industry-only Roundtable on Artificial Intelligence and Data Protection in Brussels, Belgium

On 23 October 2018, CIPL held a closed, CIPL-members only roundtable on Artificial Intelligence and Data Protection in the margins of the 40th International Conference of Data Protection & Privacy Commissioners (ICDPPC). During the roundtable, CIPL members held an open discussion on data protection challenges associated with AI and machine learning applications. Participants discussed the issues addressed in CIPL’s recent white paper entitled "Delivering Sustainable AI Accountability in Practice: Artificial Intelligence and Data Protection in Tension", focusing on how certain data protection principles may be in tension with the effective deployment of AI tools.

Participants discuss how to minimise tension between data protection principles and applications of AI
Participants also discussed the next steps in CIPL’s AI project, focusing on how the elements of organisational accountability can be applied to the AI context to ensure responsible and sustainable AI use.

IV. CIPL Side Event on “The Concept of Fairness in Data Protection” at the 40th International Conference of Data Protection & Privacy Commissioners (ICDPPC) in Brussels, Belgium

On 23 October 2018, CIPL also held two iterations of a side event at the 40th ICDPPC on “The Concept of Fairness in Data Protection”. The panel consisted of representatives from leading data protection authorities, industry representatives, technologists and academics, who each addressed questions surrounding the meaning of “fairness” in the data protection context. Specific questions participants addressed included “how should organisations make determinations about the fairness of their processing activities in a way that regulators will accept; what are the measurable elements and proof points of fairness; and are these elements/proof points sufficiently universal and objective so that efforts to minimise legal uncertainty”.

For more details on the Side Event, please see the event agenda.

V. CIPL Roundtable on the US Privacy Framework in Washington, DC

On 5 November 2018, CIPL held a CIPL-members only roundtable to discuss updating the US privacy framework. During the roundtable, CIPL members discussed objectives for a US privacy framework, expectations for consumers, businesses and regulators, and suggestions for next steps. The discussion was guided by CIPL’s response to the US NTIA’s Request for Comment on “Developing the Administration’s Approach to Consumer Privacy”.

CIPL’s VP & Senior Policy Counselor Markus Heyder speaks on CIPL’s Response to the NTIA’s RFC on “Developing the Administration’s Approach to Consumer Privacy” to kick off CIPL’s Roundtable on “Updating the US Privacy Framework”. 
VI. CIPL Workshops with the Singapore Personal Data Protection Commission (PDPC) on “Roles of Certifications in Data Protection” and “Accountable and Responsible AI”

On 15 November 2018, CIPL and the Singapore PDPC held a joint, half-day workshop on Roles of Certifications in Personal Data Protection to discuss how data protection certifications and similar schemes can function as accountability and compliance tools for organisations and how certifications can function as a mechanism for global interoperability. In particular, the issue of interoperability between APEC CBPR and PRP, EU BCR and EU GDPR certifications was considered.

In addition, on 16 November 2018, CIPL and the Singapore PDPC held a joint, full-day working session to discuss the tensions between AI and certain data protection principles, as well as approaches and best practice solutions to accountable AI and machine learning. In the first session, leading technologists and data scientists shared current applications of AI and machine learning and demonstrated the need for robust and inclusive datasets. In the second session, representatives from multinational organisations and SMEs provided examples of best practices for responsible use and deployment of AI and machine learning applications, as well as areas where further thinking and solutions are needed.

For more details on the certifications workshop, please see the workshop agenda and slide deck. For more details on the AI working session, please see the working session agenda and slide deck.

VII. 50th Asia-Pacific Privacy Authorities Forum in Wellington, New Zealand

On 4 December 2018, CIPL Vice President Markus Heyder led a discussion on “Regulatory Approaches to Challenges of AI” at the 50th APPA Forum in New Zealand. The panel commenced with presentations from the Hong Kong Privacy Commissioner for Personal Data (PCPD) on its new AI ethics paper and the Singapore PDPC on its AI model framework. Following the presentations, industry representatives shared how they are currently ensuring accountable and responsible AI as well as their compliance efforts with existing privacy laws. The focus of the panel was not solely to describe the challenges of AI or on the tensions between AI and privacy laws, but more so to address solutions and ways forward.
VIII. New Zealand Privacy Commissioner’s International Privacy Forum in Wellington, New Zealand

On 4 December 2018, Markus Heyder also moderated a panel on Asia-Pacific privacy developments at the New Zealand Privacy Commissioner’s International Privacy Forum in Wellington with Rachel Dixon, Deputy Commissioner at the Office of the Victorian Information Commissioner (OVIC), Angeline Falk, Privacy Commissioner of the Office of the Australian Information Commissioner (OAIC), Raymund Liboro, Privacy Commissioner of the Philippine National Privacy Commission and Kosuke Kizawa, Deputy Director of Japan Personal Information Protection Commission (PPC). During the panel, specific topics of discussion included end-to-end encryption breaking, data breach notification schemes, and adequacy with the EU.

IX. CIPL Responses, Public Comments, Articles and Other Events

Between October—December 2018, CIPL prepared the following public comments, published the following papers/articles and held, or spoke at, the following events:

- 4 October – CIPL held its Roundtable on the “Role of the DPO” (Paris)
- 4 October – CIPL held an exclusive Pre-Workshop Dinner for Workshop attendees at the Chanel School of Fashion (Paris)
- 5 October – CIPL held its Workshop co-hosted by AXA on “Accountability under the GDPR: How to Implement, Demonstrate and Incentivise It” (Paris)
- 11 October – CIPL submitted its response to the UK ICO’s Call for Views on Creating a Regulatory Sandbox
- 16 October – CIPL Director of Privacy Policy Nathalie Laneret spoke on Data Governance and Compliance with respect to the GDPR at Informatica’s World Tour France 2018 (Paris)
- 17 October – CIPL President Bojana Bellamy spoke on opportunities and challenges in digital development at the Centre for European Policy Studies Meeting (Brussels)
- 18 October – CIPL held its October First Friday Call
- 22 October – CIPL participated in a joint workshop with EFPIA and FPF on “Can the GDPR Work for Health Research?” (Brussels)
- 23 October – CIPL held its Industry-only Roundtable on Artificial Intelligence and Data Protection (Brussels)
- 23 October – CIPL held its Side Event on “The Concept of Fairness in Data Protection” at the 40th International Conference of Data Protection and Privacy Commissioners (ICDPPC) (Brussels)
- 23 October – CIPL President Bojana Bellamy spoke at the Japan Personal Information Protection Commission’s panel on “Data Protection in the Era of a Connected World” at the 40th ICDPPC (Brussels)
- 25 October – CIPL President Bojana Bellamy spoke at the Creative Café panel on “How to move towards Digital Ethics” at the 40th ICDPPC (Brussels)
- 29 October – CIPL released its First AI Report on Artificial Intelligence and Data Protection in Tension
- 31 October – CIPL submitted its response to the US NTIA’s Request for Comment on “Developing the Administration’s Approach to Consumer Privacy”
• 5 November – CIPL held its Roundtable on the US Privacy Framework (Washington, DC)

• 7 November – CIPL President Bojana Bellamy spoke at Datum Future’s launch event (London)

• 8 November – CIPL President Bojana Bellamy spoke at the Internet Commission Advisory Board Meeting (London)

• 9 November – CIPL published its Legal Note on the ePrivacy Regulation and the EU Charter of Fundamental Rights

• 13 November – CIPL Senior Policy Advisor Fred Cate spoke on behalf of CIPL on “Consumer Protection Implications of Algorithms, AI and Predictive Analytics” at the US Federal Trade Commission’s hearings (Washington, DC)

• 15 November – CIPL held its Workshop with the Singapore Personal Data Protection Commission (PDPC) on “Roles of Certifications in Personal Data Protection” (Singapore)

• 15 November – CIPL held a joint lunch with the Singapore PDPC for workshop speakers (Singapore)

• 15 November – CIPL held a joint Working Session with Facebook on “Prototyping Policy: From Regulatory Sandboxes to Policy Innovation” (Singapore)

• 16 November – CIPL held its Interactive Working Session with the Singapore Personal Data Protection Commission (PDPC) on “Accountable and Responsible AI” (Singapore)

• 19 November – CIPL President Bojana Bellamy spoke at the Japan Personal Information Protection Commission’s (PPC) GDPR Seminar on “Perspectives of Data Protection Authority and Business Practice” (Tokyo)

• 28 November – CIPL President Bojana Bellamy spoke at a panel on “Merge or Map-Synergies between Privacy and Security Programs” at the 2018 IAPP Europe Data Protection Congress (Brussels)

• 28 November – CIPL President Bojana Bellamy moderated panel on “APEC-EU Work on Certifications: Using CBPRs to Facilitate GDPR Compliance” at the 2018 IAPP Europe Data Protection Congress (Brussels)

• 4 December – CIPL Vice President Markus Heyder led a discussion on "Regulatory Approaches to Challenges of AI" at the 50th APPA Forum (Wellington)

• 4 December – CIPL Vice President Markus Heyder moderated a panel on Asia-Pacific Privacy Developments at the New Zealand Privacy Commissioner's International Privacy Forum (Wellington)

• 7 December – CIPL held its December First Friday Call

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**2019 Upcoming Events**

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<tr>
<td>28 March</td>
<td>Panel on “When Digital Becomes Human” at the 2019 Teleperformance Leadership Insights Forum with Bojana Bellamy (Barcelona)</td>
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<td>CIPL 2019 Annual Executive Retreat on “Privacy Laws and Evolving Technologies and a New US Privacy Framework” (Washington, DC)</td>
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<td>CIPL India Working Group Call</td>
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<td>24 April</td>
<td>CIPL Latin America Working Group Call</td>
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<td>Panel on “Constructive Engagement vs. Enforcement: Initial DPA Experiences under the GDPR”, moderated by Bojana Bellamy, at the 2019 IAPP Global Privacy Summit</td>
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<td>2 May</td>
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<td>6 May</td>
<td>CIPL/OECD Joint Roundtable on “The Role of Accountability in a Global Connected World” (Paris)</td>
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**Member Spotlight**

We welcome and thank our newest members:

- Adecco Group
- Fortum Oyj
- Naspers Group
- Nestlé
- Nike
- Symcor, Inc.
- Valeo

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