

## Message from the President



*Bojana Bellamy*

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 21<sup>st</sup> 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.

### SAVE THE DATES

**Euroforum Webinar on  
"The GDPR and Beyond"**  
26 March 2019

**CIPL 2019 Annual Executive  
Retreat on Privacy Laws  
and Evolving Technologies  
and a New US Privacy  
Framework**  
2-3 April 2019  
Washington, DC

**CIPL/IDP Roundtable on  
Brazil's Data Protection  
Law**  
8 April 2019  
Brasilia

**CIPL/Hunton Andrews  
Kurth Reception during the  
2019 IAPP Global Privacy  
Summit**  
2 May 2019  
Washington, DC

**CIPL/OECD Joint  
Roundtable on "The Role  
of Accountability in a  
Global Connected World"**  
6 May 2019  
Paris

## 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.



*Former European Data Protection Supervisor Peter Hustinx provides scene setting remarks on accountability*

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

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](#).

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## 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](#).

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## 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](#).



*Participants explore questions about the concept of fairness in data protection at CIPL's ICDPPC Side Event in Brussels*

#### **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](#).



*PDPC Deputy Commissioner Zee Kin Yeong issues opening remarks on Data Protection Trustmark Certification to kick off CIPL and the PDPC's joint Certifications Workshop in Singapore*



*Participants discuss what regulators and organisations can do to ensure Accountable and responsible AI in breakout groups at CIPL and the PDPC's joint AI Working Session in Singapore*

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## 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.

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## 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), Angelene 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.

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## 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 40<sup>th</sup> 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 40<sup>th</sup> ICDPPC (Brussels)
- 25 October – CIPL President Bojana Bellamy spoke at the Creative Café panel on "How to move towards Digital Ethics" at the 40<sup>th</sup> 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

## 2019 Upcoming Events

[Click here to see the Calendar of Events](#)

26 March	Euroforum EDPD Webinar on “The GDPR and beyond - looking back and looking ahead”, moderated by Bojana Bellamy
28 March	Panel on “When Digital Becomes Human” at the 2019 Teleperformance Leadership Insights Forum with Bojana Bellamy (Barcelona)
2 April	CIPL 2019 Annual Executive Retreat on “Privacy Laws and Evolving Technologies and a New US Privacy Framework” (Washington, DC)

2 April	CIPL Retreat Reception and Dinner (Washington, DC)
3 April	CIPL Members-only Working Session (Washington, DC)
8 April	CIPL/Brazilian Institute of Public Policy (IDP) Roundtable on Brazil's Data Protection Law (Brasilia)
12 April	CIPL First Friday Call
23 April	CIPL India Working Group Call
24 April	CIPL Latin America Working Group Call
2 May	Panel on "Constructive Engagement vs. Enforcement: Initial DPA Experiences under the GDPR", moderated by Bojana Bellamy, at the 2019 IAPP Global Privacy Summit
2 May	CIPL/Hunton Andrews Kurth Reception during the 2019 IAPP Global Privacy Summit (Washington, DC)
6 May	CIPL/OECD Joint Roundtable on "The Role of Accountability in a Global Connected World" (Paris)

## Member Spotlight

We welcome and thank our newest members:

**Adecco Group**

**Fortum Oyj**

**Naspers Group**

**Nestlé**

**Nike**

**Symcor, Inc.**

**Valeo**



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