



Centre for Information Policy Leadership GDPR Implementation Project

GDPR Working Session on Seals, Certifications and Codes of Conduct

Microsoft Brussels Centre
Rue Montoyer 51, 1040
Brussels, Belgium

8 November 2016 | 12:30 – 17:30

AGENDA

12:30 **Registration and Lunch**

13:15 **Welcome and Introduction**

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

13:25 **Special Opening Remarks**

- ❖ John Frank, Vice President, EU Government Affairs, Microsoft

13:35 **What are GDPR Certifications and What Can We Expect From Them?**

Panelists will set the scene and raise the main issues resulting from Articles 42 and 43 GDPR on certifications, seals and marks. They will dive into the nature of certification (what is to be certified?) and introduce the role of certification bodies in the area of data protection. They will discuss certification as a mechanism to ensure and demonstrate compliance and accountability, as well as their use to enable data transfers to third countries.

The panelists will also address how certifications, seals and marks compare to GDPR codes of conduct and binding corporate rules (BCRs) and consider their sometimes overlapping functions. Finally, they will touch upon the potential for creating interoperability between GDPR certifications and similar compliance and accountability schemes, such as APEC Cross-Border Privacy Rules (CBPRs) and the EU/US Privacy Shield.

Moderator:

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

Panelists:

- ❖ Rosemary Jay, Senior Consultant Attorney, Hunton & Williams
- ❖ Irene Kamara, Legal Researcher, Tilburg University/Vrije Universiteit Brussel
- ❖ Nathalie Laneret, Group Data Protection Officer, CapGemini
- ❖ Josh Harris, Director of International Regulatory Affairs, TRUSTe
- ❖ Knut Mager, Head Global Data Privacy, Novartis

14:55 **Coffee Break**

15:15

The Roles of the Data Protection Authorities and other Actors

Panelists will focus on the roles of the Data Protection Authorities (DPAs) in respect to certification. Questions that will be addressed are the incentives for the DPAs to give priority to certification, the relation to DPA enforcement and the benefits of certification at EU level, and the role of the EDPB. They will also discuss the specific GDPR requirements for certification bodies, including independence and expertise, and the accreditation requirements of such bodies by the relevant DPA. Finally, the panelists will also consider the responsibilities and role of the Commission in respect to certifications.

Moderator:

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

Panelists:

- ❖ Valérie Bourriquen, Head of Privacy Seals, CNIL
- ❖ Gemma Farmer, Senior Policy Officer, UK ICO
- ❖ Christian D’Cunha, Policy Assistant to the Supervisor, European Data Protection Supervisor
- ❖ Karolina Mojzesowicz, Head of Data Protection Reform Sector, European Commission

16:15

Expectations Concerning Guidance and Next Steps

This panel aims at drawing some first conclusions of the day. Panelists will lead a discussion about open questions relating to certifications that would benefit from further guidance and clarification and suggest possible solutions. In addition, they will discuss next steps in terms of developing and implementing effective GDPR certifications, seals and marks.

The questions to discuss will include possible subjects for further guidance such as:

- *Combination of roles of DPAs/EDPB and Certification bodies*
- *How should EU and national level certifications interact?*
- *Incentives for efficient approval and certification processes*
- *The importance of certification for enforcement*
- *Certification and accountability*
- *Certification and data transfer mechanisms*

Moderator:

- ❖ Hielke Hijmans, Senior Policy Advisor, Centre for Information Policy Leadership

Panelists:

- ❖ Paul Breitbarth, Director of EU-US Data Protection Projects & Senior Solutions Advisor, Nymity, Inc.
- ❖ Jacobo Esquenazi, Global Privacy Strategist, HP Inc.
- ❖ Marie-Charlotte Roques Bonnet, Director of EMEA Privacy Policy, Microsoft

17:20

Closing Remarks

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

17:30

End of Workshop

19:30

Centre For Information Policy Leadership and Hunton & Williams Dinner

Restaurant WY
Smart City
Bodenbroekstraat 22-24
Grote Zavel, 1000 Brussel