

Global Partners Digital (GPD) is a non-governmental organisation working to build a digital environment based on human rights and democratic values.

We welcome this opportunity to provide feedback on the future of the ICDPPC. We hope that our responses to the questions below are constructive and we are happy to provide clarification or further information if needed. We look forward to receiving information about the outcome of the consultation and to remaining engaged with the Conference in the future.

In your view, what should be the main objective of the ICDPPC as an international network of data protection authorities? What are your main expectations regarding the ICDPPC activities and outcomes in the field of privacy and data protection for the years to come?

The ICDPPC should continue to strive to fulfil its primary and overarching objective: to provide a forum for guidance and coordination for its members and other stakeholders on the protection of privacy and personal data. To this end, it should continue to identify ways to effectively implement national and international standards relating to data protection, and thus disseminate knowledge and provide assistance for members in implementing their mandates. In providing guidance and best practice to its members and other stakeholders, it should also serve as a reference point for data protection authorities (DPAs) and other relevant regulators on how to implement and adapt data protection standards in the digital age.

As more countries adopt data protection legislation, it is imperative that this legislation is applied so as to provide a high and consistent level of protection of personal data and privacy. As such, the ICDPPC should continue to provide a means for DPAs to coordinate by providing best practice strategies on the enforcement of data protection standards in different contexts.

It should provide capacity building and tailored guidance for different contexts on how to comply with data protection frameworks, like the EU's General Data Protection Regulation, from foreign jurisdictions which, through their extraterritorial impact, have consequences for data controllers and data subjects within their own jurisdictions.

The ICDPPC should also undertake research and analysis of the appropriate regulatory and policy responses to technological changes - including smart technology and 'the internet of things', artificial intelligence, robotics and automated decision making - and to continue to provide guidance through the development of international standards on the protection of privacy and personal data in light of these trends. It should continue to develop and agree declarations and resolutions on relevant data protection issues that warrant the attention of members as these can serve as normative standard setting documents. In doing so, it should aim to provide analysis of the issues concerned and concrete recommendations, which will support implementation and follow up.

In order to support its role as a reference and resource for guidance on the implementation of data protection standards, the ICDPPC should identify all relevant international bodies and

networks which set standards related to data protection, and identity opportunities to encourage the setting of standards which align with the ICDPPC's. (378 words)

Which key privacy and data protection challenges should the ICDPPC address as a priority in the future? Do you consider that organisational or structural changes are needed for the Conference to succeed in delivering on such challenges?

The ICDPPC should address technological trends relating to the increased use of digital technologies in so far as these affect the implementation of data protection standards globally. As mentioned above, these trends include the use of smart technology and the 'internet of things', the use of artificial intelligence, robotics and automated decision making.

It should provide educational and learning resources to support the effective implementation or enforcement of data protection standards at the domestic/regional/international level, particularly on emerging issues such as content moderation, the right to be de-indexed or de-listed and clarity in terms of what is agreed best practice on these issues, bearing in mind the fact that such emerging issues have implications for other human rights, such as the right to freedom of expression.

It should also strive to provide clarity on the appropriate role which data protection plays alongside and as a complement to other standards, such as for example equality and non-discrimination law.

As the internet and digital technologies affect more areas of life and receive the attention of regulators and policymakers, it is imperative that these discussions are conducted in an open, inclusive and transparent manner.

The ICDPPC should continue to allow membership to be retained for those who qualify according to the five substantive membership criteria established in 2010. However, the ICDPPC should be able to show how it assesses the independence of the DPAs and this assessment criteria should be clearly established and publicly available.

GPD understands the requirement for private consultation among DPAs. However, as the ICDPPC develops normative standards through its resolutions and declarations for example, it should be possible for stakeholders to input into the discussions which lead to the Conference outcomes in a way that is open, inclusive and transparent.

Recent attempts by the ICDPPC to ensure greater participation in the Conference, for example by creating an advisory committee should be continued and instituted for every annual conference. Further:

- Every effort should be made to publicise the civil society position/s widely and the process of selection should be documented. For example, there should be transparency regarding when the list of candidates is first vetted and what elements the Conference takes into account when appointing committee members
- There should be clarity provided on the mandate of the committee

- There should be dedicated funding to support civil society attendance at the annual Conference, particularly from underrepresented countries and regions and there should be a transparent process for selecting grantees of the fund
- A full-day side joint civil society and DPA event should be instituted and supported at each Conference
- Intersessional work undertaken by Conference working groups should be made open to consultation from non-members (446 words)

As an external stakeholder, do you foresee the need for an increased role and visibility of the ICDPPC at the international level? If yes, which tools and activities should the ICDPPC develop for this purpose?

Yes, but only in so far as this involves ensuring the delivery of the ICDPPC's current mandate to provide guidance on the effective implementation of data protection standards and coordination among its members and relevant stakeholders. In providing guidance, the ICDPPC can play an increased role at the international level in developing and promoting international standards on data protection which are adapted to the digital age. In doing so, it should strive to ensure that its work is reflected in discussions at international mechanisms which also develop data protection-related standards and may wish to conduct a mapping exercise to ascertain all the relevant bodies. It should also provide capacity building and practical assistance for DPAs in under-resourced contexts.

Finally, in order to help fulfil its mandate to provide leadership at the international level on privacy and data protection, and to coordinate to support relevant efforts it should consider setting up an intersessional mechanism for coordinated response where a global response might be needed, for example where global data breaches or data infringements which have a global impact occur. (178 words)

(Total: 1000 words)

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- *What interest group do you belong to? (select)*
 - *Observer of the ICDPPC*
 - **NGO**
 - *Business /industry*
 - *Academic /think tank*
 - *Public authority*
 - *Government*
 - *Other (please specify)*
 - *Have you participated in the ICDPPC as a delegate or a speaker in the past five years?*
Yes/No.
 - *If yes, what was your main objective to achieve at the conference? (please select all that apply).*
 - **Networking with privacy enforcement authorities**
 - **Understanding the latest developments in privacy/data protection**
 - **Networking with other non-privacy enforcement authority delegates**
 - *Speaking on a specific topic (keynote, panel etc) or exhibiting*
 - *Other (please specify)*