



**RESOLUTION ON THE PROMOTION OF NEW AND LONG-TERM PRACTICAL INSTRUMENTS
AND CONTINUED LEGAL EFFORTS FOR EFFECTIVE COOPERATION IN CROSS-BORDER
ENFORCEMENT**

**41st International Conference of Data Protection and Privacy Commissioners
October 2019, Tirana, Albania**

This Resolution is submitted by the ICDPPC Working Group on International Enforcement Cooperation.

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- Autoriteit Persoonsgegevens, the Netherlands

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- Office of the Australian Information Commissioner, Australia
- Office of the Privacy Commissioner, Canada
- Unidad Reguladora y de Control de Datos Personales, Uruguay
- Personal Data Protection Authority, Turkey
- Data Protection Commission (GDPC), Ghana

The 41st International Conference of Data Protection and Privacy Commissioners:

RECOGNISING the foundational work completed by the Group of Experts on Legal and Practical Solutions to Cooperation in 2016-2017;

NOTING that the Conference has included in its broader Strategic Plan for 2016-2018 the need to develop common approaches and tools for data protection and privacy;

TAKING INTO ACCOUNT the Roadmap on the Future of the Conference adopted in 2018, which notably identified the need for the Conference to be a more efficient platform for international cooperation and which referred to a future longer-term effort to establish a secure online platform to better respond to members' needs when it comes to international enforcement cooperation;

RECOGNISING the high level of ambition in the most recent resolutions of the Conference – notably those in 2016 and 2017 – to build on existing efforts and address the challenges that Members of the International Conference of Data Protection and Privacy Commissioners face in relation to international enforcement cooperation;

RECALLING that members need a variety of ways available to allow them to cooperate, and that they are obliged to do this in a way compatible with the laws applicable to their activities;

RECOGNISING the work of various working groups to build cross-sectoral cooperation, but also the real connections between data protection and privacy commissioners and their staff at all levels of the member authority;

NOTING the continued pressure that members of the Conference come under to ensure an appropriate use of resources, and recognising the potential for sharing information by which authorities can speed up investigations and improve investigative outcomes;

NOTING the recent commitments in international legal frameworks which seek to enhance cooperation opportunities and which have added the impetus for authorities to find new, practical ways to cooperate to meet their broad legal obligations, but emphasising that this can be complemented by the Conference's global efforts to produce tools and encourage cooperation;

MINDFUL of the Conference's desire to be a forum of inclusiveness, highlighted in recent annual meetings, reflecting the broad geographic, linguistic and legal diversity of its members;

TAKING NOTE of the recommendation made by the Working Group on International Enforcement Cooperation to create a permanent Working Group on International Enforcement Cooperation, though mindful of the role that the Executive Committee of the Conference plays in the establishment of Working Groups in line with the Conference Strategic Plan;

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COMMISSIONERS resolves to continue to encourage efforts to bring about more effective cooperation in cross-border investigation and enforcement in appropriate cases, and resolves in particular to call upon:

- 1) ALL ICDPPC MEMBERS to contribute on a continuous basis their knowledge and expertise to the new permanent online public repository section on the ICDPPC website that links to publicly available enforcement cooperation resources;
- 2) TO ENSURE that the repository remains a living project, to which end the Secretariat will assist the Working Group co-chairs in creating a small dedicated team or task force of two or three volunteer members of the Conference, who will be tasked with the management of the repository and the promotion of the repository to members, reporting to the Executive Committee via the Secretariat, in line with the Committee's role in maintaining the website as a repository for Conference documentation¹;
- 3) TO ENSURE that the setting up of the repository is streamlined and that it contributes to the longer term Conference objective of enhancing cooperation among members through online information tools, such as in particular the possible future establishment of a secured online platform for ICDPPC members only, dedicated to resources availability and knowledge sharing, as referred to in the Roadmap on the Future of the International Conference, and to inform potential future work on the development of additional information sharing mechanisms;
- 4) TO CONSIDER, with regard to future steps towards a comprehensive Authorities Database, the development of the Conference website by merging the existing inventories of authorities listed on different parts of the Conference website, at least as a recommendation to the Secretariat for future work;
- 5) TO IDENTIFY the legal impediments that relate to enforcement cooperation faced by members, to which end a future mapping exercise could be conducted, possibly through the census questionnaire acting in close cooperation with the Data Metrics Working Group, with a view to challenging and eventually overcoming those impediments;
- 6) TO CONTINUE to operate a mutual observation arrangement with the OECD, as the OECD sets up its new Working Group on Privacy and the relevance lives on of the OECD Recommendation on Cross-Border Co-operation in the Enforcement of Laws Protecting Privacy, which recommended that member countries take steps to improve the ability of their privacy enforcement authorities to co-operate; and

¹ Rule 3.2 I ICDPPC Rules and Procedures, 2018.

- 7) TO ENGAGE with Conference members and other networks with a view to updating the Enforcement Cooperation Handbook, and to leverage lessons learned from ever-expanding enforcement cooperation experience.