

31st International Conference of Data Protection and Privacy Commissioners

Madrid, 4th – 6th November 2009

Resolution concerning the strengthening of the international cooperation in the field of data and privacy protection

The Swiss Federal Data Protection and Information Commissioner, Switzerland
The Data Protection Commission, France
The Data Protection Commission, Burkina Faso
The Information Commission, Québec (Canada)
The Federal Data Protection and Information Commissioner, Germany
The Office for Personal Data Protection, Czech Republic
The Privacy Commissioner, New Zealand
[The Privacy Commissioner, Canada]
The Spanish Data Protection Agency

Resolution

The 31st International Conference of Data Protection and Privacy Commissioners

Recalling:

- (a) the resolution of the 31st Conference on International Standards of Privacy
- (b) the resolution of the 30th Conference on the urgent need for protecting privacy in a borderless world, and for reaching a Joint Proposal for Setting International Standards on Privacy and Personal Data Protection
- (c) the resolution of the 30th Conference concerning the Establishment of a Steering Group on Representation at Meetings of International Organisations
- (d) the resolution of the 29th Conference on Development of International Standards
- (e) the London Initiative presented during the 28th Conference
- (f) the Montreux Declaration adopted at the 27th Conference that in particular appeal to prepare a legal binding instrument which clearly sets out in detail the rights to data protection and privacy and in which the commissioners agreed to intensify the exchange of information, the coordination of their supervisory activities and the development of common standards
- (g) the Venice Declaration adopted at the 22nd Conference
- (h) the resolution of the 21st conference on accreditation features of data protection authorities to the international conference which fix the conditions that a data protection authority must fulfil to be accredited.

Noting that

- (a) the International Conference of Data and Privacy Commissioners is held annually since 31 years and is becoming an ever more important forum for the international data protection community;
- (b) the number of accredited authorities is steadily increasing and these new authorities are expanding the global reach of the Conference;

- (c) the work accomplished by the Website Working Group to create a website of the International Conference to facilitate in particular the cooperation and information sharing among the accredited authorities constitutes an important step for the international cooperation.

Considering that

- (a) the globalisation of personal data processing and exchanges independently of the business unit, and the introduction of new information and communication technologies require an effective and universal protection of the rights and fundamental freedoms, in particular the right to data and privacy protection with regard to processing of personal data;
- (b) the growing need to coordinate the investigations and the interventions of the data protection authorities require the strengthening of the international cooperation in the field of data and privacy protection, in particular the implementation of an independent worldwide organisation in charge of data and privacy protection;
- (c) the International Conference could so have an important role in promoting and implementing the right to data and privacy protection;
- (d) it is necessary to evaluate the institutional needs of the Conference and to consider whether the Conference needs a more formal structure and if so, to define the mandate, the tasks and the financing.

Therefore resolves:

To establish a working group coordinated by the organizing authorities of the 31st and 32nd International Conference¹ and to entrust this group with the following tasks:

- a. to evaluate the institutional needs of the International Conference;
- b. to develop options with the aim of creating a permanent Secretariat as a more formal structure of the International Conference; and
- c. to submit a report on the matter with concrete proposals during the 32nd conference.

¹ This mandate could be entrusted to the « contact group » on the Resolution on International Standards of Privacy to be adopted by the 31st Conference