



# PHAEDRA project

Improving Practical and Helpful cooperAtion bEtween Data PRotection Authorities

General information

Mauritius, 14 October 2014

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## PHAEDRA project

- Co-funded by the European Commission (DG Justice) under the Fundamental Rights and Citizenship programme (2007-13)
- January 2013 – January 2015 (2-years)
  
- Vrije Universiteit Brussel (VUB, Belgium) – coordinator
- Trilateral Research & Consulting (TRI; UK)
- Generalny Inspektor Ochrony Danych Osobowych (GIODO)
- Universidad Jaume I (UJI; Spain)

To help improve practical co-operation and co-ordination between data protection authorities (DPA), privacy commissioners (PC) and privacy enforcement authorities (PEA), especially in regard to the enforcement of privacy laws

## Sub-objectives:

- To improve co-operation and co-ordination between DPAs in the enforcement of privacy and data protection laws
- To identify other areas beyond enforcement where co-operation could offer practical benefits to all concerned
- To review the legislation that empowers DPAs to identify possible legislative measures inhibiting co-operation
- To identify and characterise the stakeholder constituency
- To convene workshops in association with the GPEN and ICDPPC and/or other relevant meetings to discuss how the project can support their initiatives and to share our findings with them



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## Structure of the project

WS0: management & coordination

WS1: setting the scene

WS2: legislative review

WS3: workshops & collaboration with GPEN & ICDPPC

WS4: findings & recommendations

WS5: dissemination activities

## WS1 Setting the scene

### Objectives

- identifying and evaluating existing mechanisms for co-operation between DPAs
- specifying and characterising different forms of co-operation and co-ordination between DPAs
- conducting case studies of where two or more DPAs have investigated the same privacy issue and analysing whether co-operation would have helped

### Activities [tbc]

- Questionnaire 1
  - 10 questions asking about areas for improving co-operation and co-ordination, possible constrains, measures for improving co-ordination of investigations, sharing information, suggestion for case studies, examples of co-operation
  - sent to 79 DPAs and privacy enforcement authorities
  - 53 responses

## WS1 Setting the scene

### Activities [tbc]

- Questionnaire 2
  - main issue – answering the question: *how can the PHAEDRA project best support DPAs, PCs and PEAs in its second year?*
  - additional questions concerning legislation, sharing an information concerning investigation, powers or instruments enabling to enforce privacy
  - sent to the same DPAs, PCs and PEAs
- 11 case studies where two or more DPAs have investigated the same problem in terms of experience in co-operation between them, eg.
  - Google Buzz,
  - Google' privacy policy
  - Investigation on WhatsApp
  - Audit of Facebook Ireland
  - Sony PlayStation Networks hacks
  - SWIFT and US Treasury Terrorist Finance Tracking Program (TFTP)
  - Telecommunication Data Retention



## WS1 Setting the scene

### Activities

- Interviews
  - one-on-one telephone interviews with 19 representatives of DPAs, PEAs and PCs
  - issues discussed, eg.: differences in powers, sharing confidential information, cooperation in the frame of international bodies, dealing with complaints, instruments for enforcing privacy, actions to improve co-ordination globally, challenges to improve enforcement co-ordination

### Deliverables

Report “Co-ordination and co-operation between Data Protection Authorities” (publication date: 1 April 2014)

- sets the scene of the PHAEDRA project
- includes case studies of where two or more DPAs have investigated the same privacy issue
- provides a set of findings and recommendations

## WS2 Legislative review

### Objectives

- reviewing the legislation establishing DPAs
- identifying the provisions acting as barriers or inhibiting international co-operation and co-ordination
- identifying the measures which could be taken to reduce such barriers

### Deliverables

Report “A Compass towards best elements for cooperation between data protection authorities” (publication date: 28 February 2014)

- gives an overview of relevant legislation, networks of DPAs and agreements between DPAs
- distinguishes different aims of co-operation, and possible best elements for co-operation between DPAs



## WS3 Workshops & collaboration with GPEN & ICDPPC

### Objectives

- contacting DPAs to determine how PHAEDRA project could reinforce their efforts
- holding the workshops for DPAs
- co-ordinating the workshops with the GPEN meetings and the International Conference of Data Protection and Privacy Commissioners

### Activities [tbc]

- identification different types of barriers to the cooperation and coordination between DPAs, PCs and PEAs in the enforcement of privacy and data protection laws
- drafting a framework agreement on privacy enforcement coordination
- giving comments to the „International Cross Border Privacy Enforcement Cooperation Arrangement”



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## WS3 Workshops & collaboration with GPEN & ICDPPC

### Activities

First workshop “Improving co-operation and co-ordination between DPAs”

24 September 2013, Warsaw, Poland

- side event of the 35th International Conference of Data Protection and Privacy Commissioners

Second workshop “Challenges and barriers for cooperation and coordination between DPAs”, 6 May 2014, Skopje, Macedonia

- in the frame of the 56th Meeting of the International Working Group on Data Protection in Telecommunications (IWGDPT)

Third workshop “ The EU Data Protection Regulation and regional perspectives on improving international cooperation between DPAs, PCs and PEAs” – 18 June 2014, Seoul, South Korea

- in the frame of the 41st Asia Pacific Privacy Authorities (APPA) Forum

Fourth workshop “ Further cooperation between DPAs, PCs and PEAs” – 14 October 2014, Mauritius

- side event of the 36th International Conference of Data Protection and Privacy Commissioners

## WS4 Findings & recommendations

### Objectives

- preparation of findings and recommendations for improving co-operation and co-ordination

## WS5 Dissemination activities

### Deliverables

- final conference
  - 12th December 2014, Cracow (Kraków), Poland
  - hosted by GIODO
  - presentation of the PHAEDRA results
  - addressed to different audience – DPAs, the EC, government bodies, policymakers, civil society organisations, NGOs etc.
- third-party conferences and workshops, eg.
  - Enforcement Workshop - Manchester, April 2014
  - Conference 'Computers, Privacy & Data Protection' (CPDP2014) – Brussels, January 2014
  - APEC Privacy Enforcement Workshop – Auckland, 17 July 2013
- press releases, journal articles, post conference materials, a book about privacy enforcement
- reports, presentations etc. – sending copies to the EC, DPAs, PCs, PEAs and other stakeholders
- website <http://www.phaedra-project.eu/>



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