



PHAEDRA II - IMPROVING PRACTICAL AND HELPFUL CO-OPERATION BETWEEN DATA PROTECTION AUTHORITIES II
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DPA: United Kingdom: Information Commissioner's Office (ICO)

TITLE: Common Thread Statement

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WEBSITE LINK: <https://ico.org.uk/about-the-ico/news-and-events/news-and-blogs/2015/11/common-thread-statement/>

ABSTRACT:

Eleven members of the Common Thread Network, which links the data protection and privacy enforcement authorities across the Commonwealth met in Amsterdam for their third annual meeting. This document is a press release issued by the network, noting the meeting, featuring short statements by the co-chairs, and commenting upon the need for the Commonwealth states to address privacy in the development of systems and whilst taking advantage of digital development.

The statement looks forward to the Commonwealth Heads of Government Meeting in Valetta on 27-29 November 2015 and hoping that this will put privacy and data protection on the Commonwealth map. It notes that the Commonwealth has already conducted previous work forming the basis for a common approach to respecting citizens' privacy. The statement from the co-chair Daniel Therrien notes that:

"Heads of Government need to recognise that networks such as Common Thread which span across the Commonwealth can facilitate the sharing of information and expertise to build the necessary capacity in national legal frameworks for privacy and data protection."

Assessment:

The purpose of the network is aimed at facilitating the sharing of experiences, knowledge and expertise amongst Commonwealth stakeholders, and promoting cross-border cooperation, which the members see as critically important in view of the growth of the cyberspace, data and cloud services.¹

The network was originally proposed by the Office of the Privacy Commissioner of Canada, and initial membership included data protection and privacy officials from the United Kingdom, Canada, New Zealand, Singapore, Malta, Mauritius, State of Victoria (Australia)

¹ Office of the Privacy Commissioner of Canada, "Commonwealth privacy regulators launch Common Thread Network", Press Release, Mauritius, October 16 2014, https://www.priv.gc.ca/media/nr-c/2014/an_141016_cw_e.asp



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and Ghana, with joint chairs provided by the UK and Canada. For ICO, the Common Thread Network is an important part of ensuring that contracted-out data processors in emerging markets processing data on UK citizens and consumers stick to privacy rules.²

The commonwealth is a voluntary association of 53 independent countries, from across Africa, the Americas, Europe and the Pacific, almost all of which were formerly under British rule. Members subscribe to the Commonwealth's values and principles outlined in the Commonwealth charter.³ The influence of the British legal systems is quite strong across commonwealth countries, despite the diversity of members in terms of population and levels of economic development. The Common Thread Network membership does not currently encompass the majority of the members of the Commonwealth, but is a relatively recent development and membership is growing. The Commonwealth accredits a large number of intergovernmental, civil society, cultural and professional organisations.⁴ The Common Thread Network does not yet appear to have formal accreditation from the Commonwealth secretariat. The secretariat for the Common Thread Network is provided by the Commonwealth Telecommunications Organisation (CTO)⁵. The Commonwealth Telecommunications Organisation (CTO) is an international organisation based in London and established through a Headquarters Agreement with the Government of the United Kingdom of Great Britain and Northern Ireland. The CTO is an international treaty organisation, and a **not-for-profit** entity. It has observer status in the Network. In its press releases on the Network, the CTO aligns privacy and data protection with facilitating cybersecurity and "cybergovernance" in the Commonwealth.⁶ The CTO organised the Commonwealth Cybersecurity Forum in London in April 2015, where data protection and privacy was listed as one of the key issues.⁷

The meeting took place in the margins of the 37th International Conference for Data Protection and Privacy Commissioners. The previous meetings of the Network have also been co-located with the ICDPPC. The ICDPPC meetings, being open to any data protection authority from around the world, often provide opportunities for smaller or specific networks, allowing participants to maximise their time and reduce costs. The Common Thread Network sits alongside several other international networks for data protection and privacy cooperation. An overview of these networks, including their overlapping membership is set out in the PHAEDRA I deliverable: *Coordination and Cooperation between Data Protection*

² <https://ico.org.uk/about-the-ico/news-and-events/current-topics/ico-helps-establish-new-commonwealth-network/>

³ <http://thecommonwealth.org/member-countries>

⁴ <http://thecommonwealth.org/organisation-directory>

⁵ <http://www.cto.int/>

⁶ <http://www.cto.int/news/common-thread-network-to-facilitate-cybersecurity-and-cybergovernance-collaboration-in-commonwealth/>

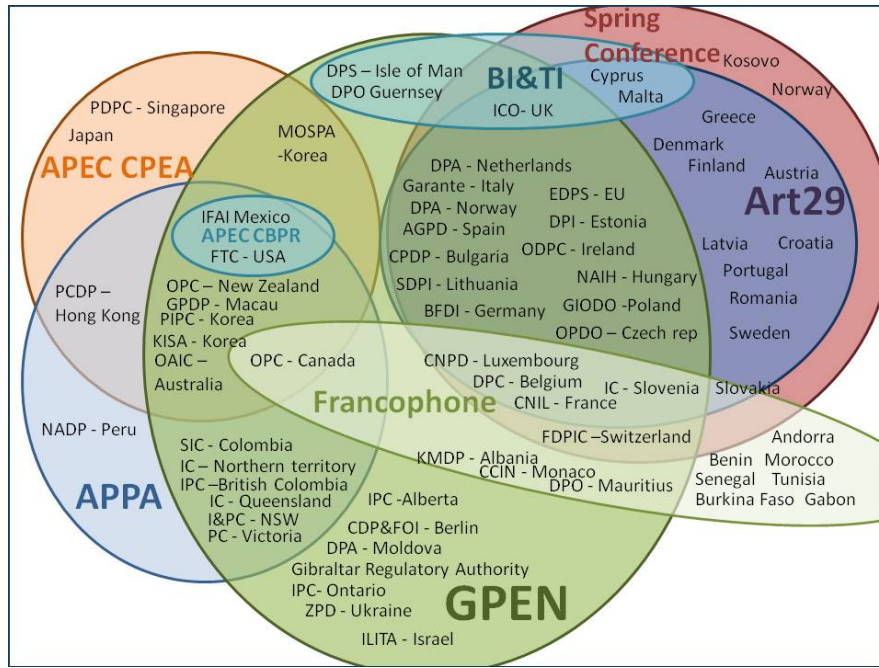
⁷ https://www.sbs.ox.ac.uk/cybersecurity-capacity/system/files/Cybersecurity%20Agenda_2015.pdf





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*Authorities.*⁸ Based upon this analysis, the Common Thread Network does not duplicate the membership of any existing network (other than being a sub-set of potential participants in the ICDPPC) instead forming a potential bridge between different global regions (potentially in a similar manner to the Association francophone des autorités de protection des données personnelles (AFAPDP).



Key international co-operation and co-ordination mechanisms, showing the overlap between their memberships⁹

The subsequent statement from the CHOGM 2015 did acknowledge the "need to adopt legal frameworks that promote privacy rights and to ensure an open and secure internet, as well as data protection in accordance with the national laws of the states concerned"¹⁰.

⁸ Barnard-Wills, David, & Wright, David (eds) Co-ordination and Co-operation between data protection authorities, PHAEDRA, Workstream 1 report, 1 April 2014, revised 30 June 2014 (Chapters 3 and 4)

⁹ Barnard-Wills, David, & Wright, David (eds) Co-ordination and Co-operation between data protection authorities, PHAEDRA, Workstream 1 report, 1 April 2014, revised 30 June 2014, p.138

¹⁰ Commonwealth Heads of Government Meeting, Communiqué, Malta, 29 November 2015, <http://thecommonwealth.org/sites/default/files/news-items/documents/CHOGM%202015%20Communique.pdf>