Enhancing Accountability in Government Access to Private-Sector Data:
A Multinational Dialogue

Sponsored by The Privacy Projects, CDT, and The Information Accountability Foundation

May 30, 2014

Hilton on Park Lane, London
Serpentine Room, 4th Floor

8:30 am  Breakfast

9:00  Welcome and Introductions
Jennifer Stoddart

9:50  Framing the Key Challenges
Fred H. Cate

10:00  Exploring Key Questions I
Marty Abrams, Facilitator

Demands by national security and law enforcement agencies for personal data held by the private sector pose at least three sets of accountability challenges: (1) how do private-sector organizations behave accountably in the face of such demands, data protection obligations and commitments, and regulator expectations; (2) how do governments behave accountably when collecting and using private-sector data; and (3) how do data protection regulators work accountably with both the private sector and national security and law enforcement officials. Because the three sets of challenges are interconnected, our discussion will address them by focusing on key cross-cutting topics.

Accountability
• Does legal compliance equal accountability?
• Should companies assess the adequacy of legal requirements? If so, by what metrics?
• Do conflicting obligations (regulatory vs criminal justice and national security obligations) put organizations into a legal bind? An ethical bind? If so, do accountability tools provide any help?
• Regulators have expectations for accountability chains when data is passed to a third party. Do those expectations exist when national security agencies are the recipients?

10:45  Break

11:00  Exploring Key Questions II
Jim Dempsey, Facilitator

Transparency
• What does transparency mean in the face of government demands?
• Do organizations have a legal or ethical obligation to push for greater transparency concerning government demands for data?
• Are there transparency solutions?

12:30 pm  Lunch

1:45  Exploring Key Questions III
Marty Abrams, Facilitator

Transborder challenges and other issues
• Should organizations take into account the interests of stakeholders in other jurisdictions? If so how?
• How can accountability chains work when data are accessed across borders?
• How can organizations and data protection regulators enhance accountability when governments demand data across borders or about foreign nationals?

3:00  Summary of Key Points and Discussion of Next Steps
Jennifer Stoddart, Facilitator

4:00  Adjourn