

KOMISIONERI PËR TË DREJTËN
E INFORMIMIT DHE MBROJTJEN
E TË DHËNAVE PERSONALE

INFORMATION AND
DATA PROTECTION
COMMISSIONER

INFORMATION AND DATA PROTECTION COMMISSIONER

Annual Report 2019



"The perfect ending to a wonderful @icdppc2019, during which regulators from all over the world have agreed to a new policy strategy and convergence and accountability have been at the centre of the discussions. Thank you @idpAlbania @ICDPPCsec, thank you #Albania."



"Another pleasant Albanian surprise – not your traditional perfunctory greeting. Thank you Edi Rama. #ICDPPC2019"

"The house of an Albanian belongs to God and guests. And God doesn't always show up, so guests are gods"

"Notable that @icdppc2019 is being held in Albania, a country that within recent memory was one of the most isolated in the world. Now, the Albanian Commissioner opens a global event to discuss #privacy, AI, human rights, and more"



"Closing of International Conference of Data Protection and Privacy Commissioners...many insights on priorities of regulatory convergence and accountability. Great hospitality and agenda by Albanian IDP and ICO #ICDPPC2019."

"A fantastic week in Tirana, Albania at #icdppc2019. A packed agenda with some defining discussions on subjects such as accountability, convergence and connectivity, to name just a few. Great to see and meet friends and colleagues, old and new from all corners of the globe, truly demonstrating how important our role as privacy professionals in this digital age, and how what we do can make a real difference to people's lives. Many congratulations to the Commissioner and his team for a great conference, and already looking forward to Mexico next year"



"Great turnout for the opening of the 41st International Privacy Conference. Albanian Commissioner is welcoming delegates to Tirana. "Data protection has grown up; it's all around the world now". "Thank you #ICDPPC2019 host authority @ldpAlbania for a fantastic conference. Much has been achieved this week, including a new policy strategy which will move us towards greater regulatory cooperation and high data protection standards. See you in Mexico 2020"!



"Sad to leave Tirana. After checking out of the hotel the man at the front desk sent me on my way with a "Have a nice life"/ Urime dhe faleminderit @icdppc2019"



"It was a great pleasure to attend #ICDPPC2019. Tirana is a really interesting city and its people were all so nice. We have to come back; time was too short. Big Thank You to @ldpAlbania for hosting the event"



"Thank you @ldpAlbania for a wonderful international conference in Tirana, congratulations to the @ICDPPCec for the important resolutions adopted as well as the interesting agenda and debates in this @icdppc2019 hope to see you in #Mexico2020"



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MESSAGE OF THE OFFICE HOLDER

The mission of the Information and Data Protection Commissioner is to guarantee the implementation of legislation on the right to information and personal data protection. For this purpose, the Office works as a mechanism to balance these two constitutional rights. The fundamental principles and characteristics of the Office are autonomy, impartiality, reliability and transparency to the public, among other things.

The 2019 annual report is a comprehensive document on the work and activities of the Office of Information and Data Protection, featuring the most important international event on data protection, which was held in Tirana.

2019 marks the start of the authority's second cycle with new objectives. While over the past five years the main aim was consolidating the law on right to information, the challenge faced by the authority during this mandate is reaching higher standards in the area of personal data protection.

Over the course of this year, the Commissioner's Office has not shifted its focus from what is considered the core of its activities that is serving citizens. 1087 complaints were registered and 227 administrative inquiries were undertaken, either on a complaint basis or ex officio. Figures are increasing as a result of the systematic work that is carried out in accordance with the national legal framework, recommendations of the Parliament of Albania Resolution, and international obligations as well. Concurrently, attention was paid to civic education and awareness-raising on practicing their fundamental rights and freedoms.

In line with the title of the 41st International Conference of Data Protection and Privacy Commissioners on 21-24 October 2019, our great objective this year was convergence and connectivity.

In an increasingly personal data-driven economy, we see the remarkable benefits of scientific and technological developments, along with social interaction. Nowadays hot topic is guaranteeing personal data protection and privacy, individuals' other rights and interests, while maintaining full balance with the economic development. The strengthening of data security measures is an essential obligation to increasing public trust.

This important year could not be finalized without the invaluable commitment of the authority staff and the partnership of all public, private, local and international stakeholders.

1. LEGAL REFERENCES UNDERPINNING THE INSTITUTION'S ACTIVITY

The 2019 annual report was based on the institutional performance analysis of the Office of Information and Data Protection Commissioner regarding monitoring and implementing two main laws, namely:

- Law No. 119/2014 “On the Right to Information”;
- Law No. 9887/2008, “On Personal Data Protection”, as amended.

The rights enshrined in the laws above are part of the Constitution of the Republic of Albania, our country's supreme law, set forth more specifically under Articles 23 and 35. The Commissioner's Office activity is underpinned by the proper implementation of the Albanian legislation, recommendations set out in the Resolution of the Albanian Parliament “On Assessing the Activity of the Information and Data Protection Commissioner for 2018”, as adopted by the Albanian Parliament on 28.03.2019, and other obligations stemming from international co-operation.

The competences of the Commissioner's Office in both areas of activity are stipulated in Articles 31 and 31/1 of Law No. 9887, dated 10.03.2008 “On Protection of Personal Data”, as amended.

The Commissioner's Office powers stem as well from other laws as follows:

- Law No. 146/2014 “On Notification and Public Consultation”;
- Law No. 60/2016 “On Whistle-blowing and Whistle-blowers Protection”;
- Law No. 71/2016 “On Border Control”;
- Law No. 19/2016 “On Additional Public Safety Measures”;
- Law No. 113/2018 “On the Ratification of the Co-operation Agreement between the Republic of Albania and EUROJUST”.

2. RIGHT TO INFORMATION

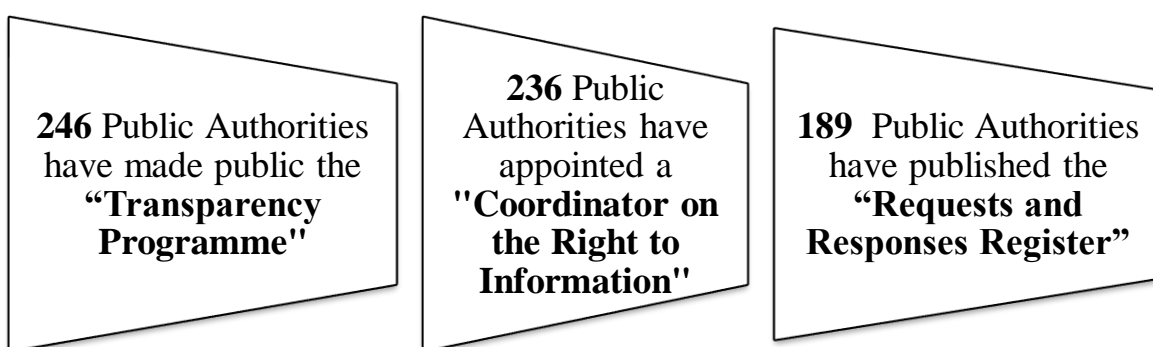
The proactive exercise of the right to information encourages transparency and accountability of public authorities, as one of the main pillars of the rule of law. In the course of this year, pursuant to Law No.119/2014 “On the Right to Information”, the Commissioner's Office has continued monitoring public authorities, which have drafted and/or updated the transparency programme, strengthening the right to information coordinator role, updating the requests and responses register, reviewing complaints, carrying out administrative inquiries, hearing sessions, and making recommendations and decisions, among other things.

2.1 Monitoring and overseeing transparency programmes of public authorities

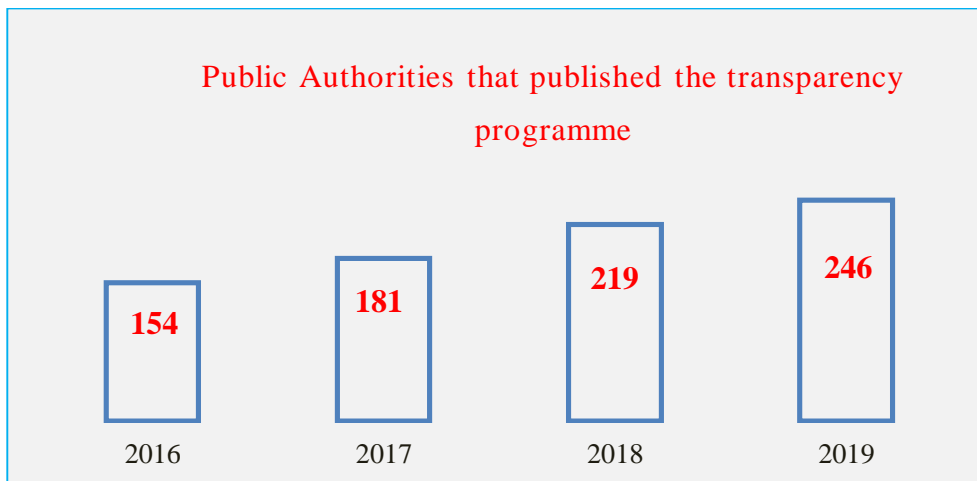
The publication and update of the transparency programme enables increasing the transparency and accountability of public authorities. This tool ensures a higher reliability of public authorities in fulfilling their duties, and efficient use of financial resources. The law on the right to information provides for the transparency programme publication in an easily comprehensible and accessible format by making it available on the public authority's official website, as well as on public settings. Should some public authorities lack a website, the number of requests for information, and consequently, the number of complaints to the Commissioner's Office, increases.

During 2019, the Commissioner's Office updated the public authorities list, which was subject to several changes this year, as a result of the structural reorganization reform of the state administration institutions and bodies. Based on the late 2019 monitoring, 417 public authorities are currently operational, as compared to 525 in 2018.

On the other hand, the online monitoring of these public authorities websites showed that:



In 2019, a more complete reflection of public information without request filed on the transparency programme is mainly identified in new justice institutions and local self-governance bodies. The creation, addition and update of the transparency programme with any other information, deemed useful by the public authority, remains a challenge. This issue particularly applies to those public authorities with limited human and financial resources, alongside authorities at the restructuring phase.



The number of public authorities that published the transparency programme on their websites increased as compared to 2018, namely from 42% to 60%. This confirms the positive trend of the public authorities transparency increase, even though more work is required in terms of information content and quality.

2.1.1 Transparency in state administration and independent institutions

The Commissioner's Office selected 30 public authorities (*mainly ministries and independent institutions*) to perform an in-depth monitoring with respect to information categories, which should be part of the transparency programme.

Monitoring showed that the mandatory information in line with Paragraph 1, Article 7 of Law on the Right to Information, was not published, according to the following categories:

d) data on officials' educational level, qualifications and salaries, who, as per the law, are obliged to declare their wealth, salary structures of other employees, as well as a description of selection procedures, competences and duties of the public authority high officials, and the procedure they follow to make decisions;

dh) monitoring and controlling mechanisms acting on the public authority, inclusive of strategic work plans, audit reports from the State Supreme Audit or other entities, as well as documents containing authority performance indicators;

e) data on the budget and expenses plan for the ongoing financial year and previous years, as well as any annual report on budget implementation. In cases when the public authority is self-financed from license fees or any other type of direct financing from regulated entities thereof, documents showing that the licensed entities have paid their liabilities are made public;

ë) information on procurement or competitive procedures of concession/public private partnership, respectively according to the provisions of Law No. 9643, dated 20.12.2006, "On Public Procurement" and Law No. 125/2013, "On Concessions and Public Private Partnership", carried out on behalf of the public authority, including: i) list of signed contracts; ii) contracted amount; iii) contracting parties and description of contracted services and goods; iv) information on contract implementation and monitoring, as well as various guidelines and policies;

g) any complaint mechanism and procedure, regarding the actions and omissions of the public authority;

gj) any mechanism or procedure, through which the interested persons can present their opinions and have any other impact on drafting laws, public policies or performing public authority functions.

The Commissioner's Office gave 30 recommendations to ministries and independent institutions, which will be subject to continuous monitoring.

2.1.2 Transparency of local self-governance units

As regards local self-governance units, the Commissioner's Office found that the transparency level has significantly improved as compared to 2018. This is mainly attributed to the approval of the new model transparency programme for these bodies.

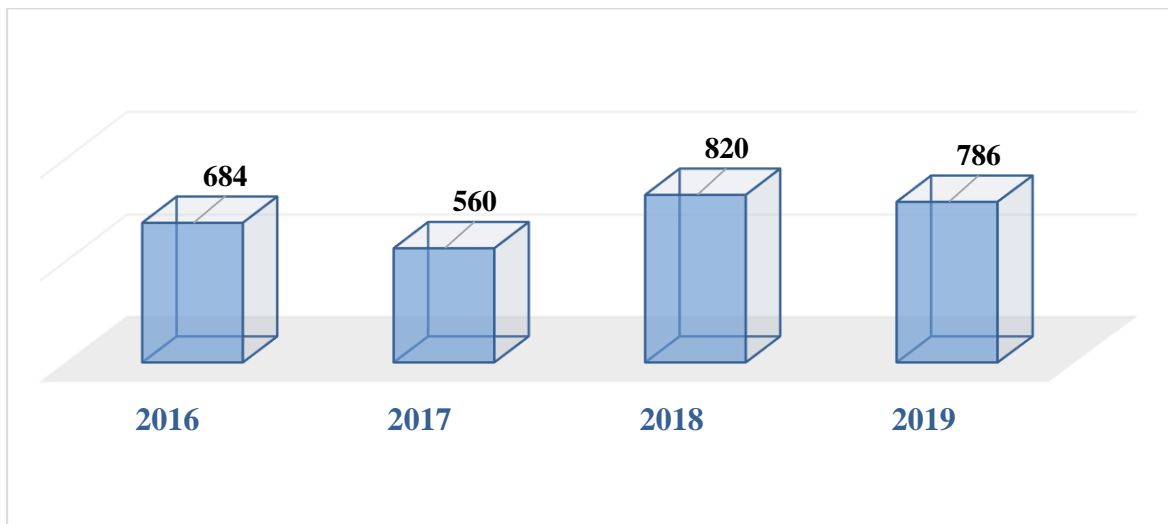
The implementation of this programme started on 1 January 2019. At first, the implementation of this tool was difficult in terms of entering relevant information in sections. This is due to the fact that the functions, services and nature of local self-governance activities are very broad.

The first monitoring conducted in March 2019 showed that solely 5 local self-governance units implemented the new transparency programme in accordance with the approved model. Based on the monitoring results, in April 2019, the Commissioner's Office addressed this issue with the units aiming at fulfilling the obligation to complete the transparency programme, according to legal provisions.

In the framework of the “International Day on the Right to Information”, the Commissioner's Office and Star II Project co-operated in September 2019 to perform a more detailed monitoring of the model transparency programme applicability by local self-governance units. The online websites monitoring showed that 44 of them had implemented the transparency programme. On the other hand, the monitoring in December 2019 showed that 57 out of 61 had implemented the transparency programme. By late 2019, the transparency of local self-governance units improved, with 94% of them publishing the transparency programme and updating the public information categories without any request filed.

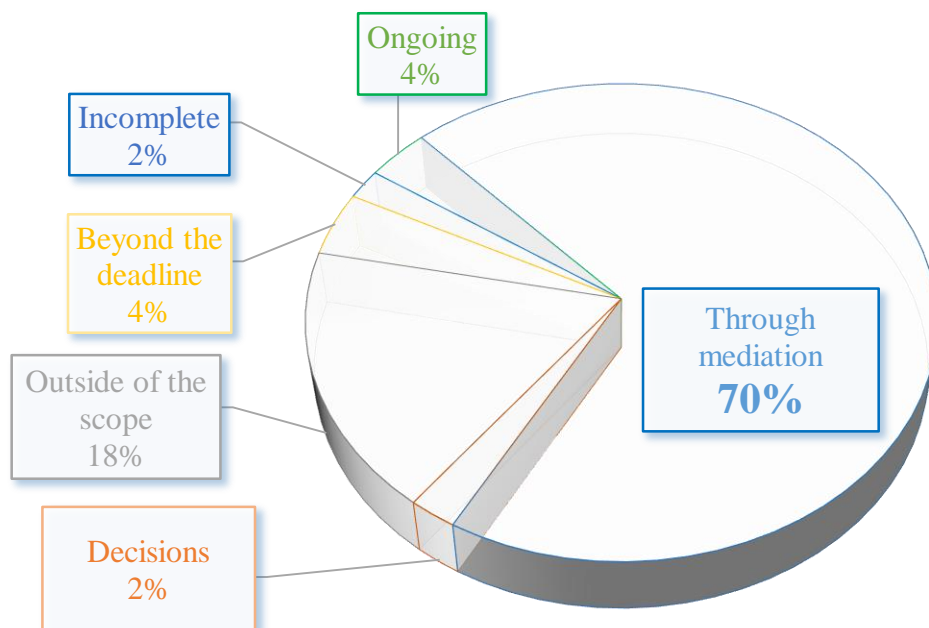
2.2 Complaint handling

In 2019, the Commissioner's Office received 786 complaints. A positive trend was the increase of complaints number in relation to other stakeholders, as an indicator of their awareness-raising on exercising the right to information.



Out of the total number of complaints, 553 of them were settled following the Commissioner's Office intervention to public authorities. The Commissioner made decisions with regard to 18 complaints. Of the total number, 34 complaints were beyond the deadline, 16 were incomplete, 140 outside of the scope of the law, 21 were handled according to the restrictions of Article 17 of the Law on the Right to Information, and 28 complaints were carried over to 2020. In 2019, the 24 complaints carried over from 2018 were handled as well.

In 2019 there were 786 complaints



An issue carried over from last year is still the required information category, which is outside the scope of law, as information/documents related to judicial and administrative processes, access to personal data or information regarding the public authority activities.

In some cases, complaint reviews and administrative inquiries in particular, showed the unwillingness of several public authorities to provide information/documentation. More specifically, the restrictions provided for in Article 17 of Law on the Right to Information is inaccurately interpreted in terms of copyrights, confidentiality principle or trade secret in

areas, such as cultural heritage, territory development and planning, as well as the procurement sector.

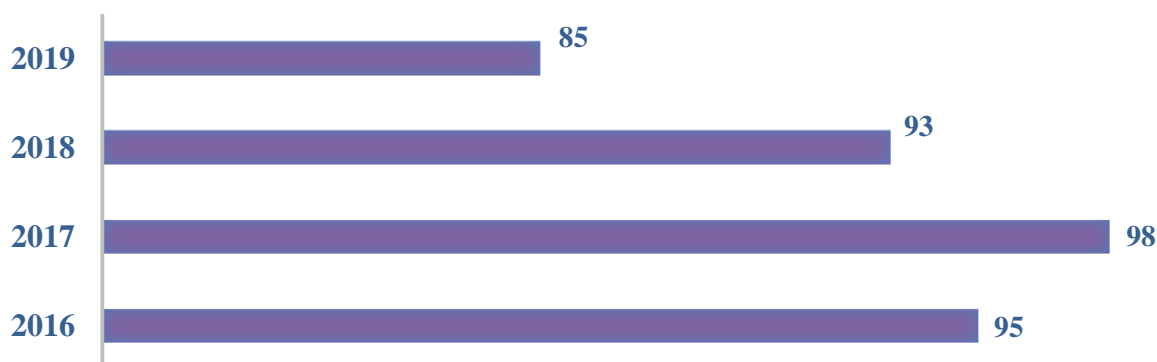
Moreover, the Commissioner's Office has received a series of requests for interpretation from public authorities, which have been established as a result of the justice reform. In its activity, the Commissioner has always prioritized transparency in this process, considering it as an additional element in order to live up to public expectations from this reform.

2.3 Administrative inquiries

Pursuant to Law No. 119/2014 “On the Right to Information”, the Commissioner's Office has continued overseeing and guaranteeing the right to public information access, by relying on the balance and proportionality principle.

The Commissioner's Office has carried out 85 administrative inquiries in the area of the right to information, with the aim of verifying filed complaints and implementing further procedures. 304 requests for further elaboration were sent to public authorities and 28 hearing sessions were carried out. In conclusion, the Commissioner made decisions on 18 complaints, of which 11 were orders on information provision, 2 were rejection decisions, and 5 were administrative penalty decisions.

INSPECTIONS OVER THE PERIOD 2016-2019



The identified issues are the same as last year's issues:

- ✓ frequent changes of the coordinator;
- ✓ coordinator at the executive or low steering level and limited access to other public authority structures;
- ✓ delegation of requests for information to other authority structures, overlooking the coordinator and legally defined procedure.

2.4 Electronic register of requests and responses on the right to information (ERRRRI)

The Commissioner's Office continued its work of raising citizens' awareness regarding the use of the “Electronic register of requests and responses on right to information” (ERRRRI). For this purpose, some promotional materials were prepared and informative and training meetings were held.

In order to scale up the ERRRI, the Commissioner's Office requested its installation in independent institutions and local self-governance units. The selection of these authorities was based on the range of their functions and category of the services they provide, along with the high number of requests they receive. ERRRI is operational in 31 public authorities as compared to 27 in 2018. However, the scale up progress is not satisfactory due to lack of funding. Thus far, this process has been carried out solely on donor support.

In 2019, the number of requests for public information that were handled by ERRRI was 516. In that period, the number of complaints submitted to the Commissioner's Office via this "Register" was 147.

2.5 Cross-cutting strategies

The Commissioner's Office, as an institution focusing on increasing transparency and accountability of public authorities, is part of the:

- ✓ Cross-cutting Public Administration Reform Strategy 2015-2020 (CPARS);
- ✓ Cross-cutting Strategy against Corruption 2015-2020 (CSC);
- ✓ Sector Budget Support Contract for Public Administration Reform 2015-2020 (SBS).

In the framework of these two strategic documents, the Commissioner's Office periodically reports on the progress of objectives and activities set forward in relevant strategies. The self-declaration of 128 public authorities to the service of the Sector Budget Support Contract for Public Administration Reform, shows that in 2019, 11758 requests for information were handled, out of which 1185 have received no response. The rate of rejected requests for information comprises 10% of the total requests number.

In some cases, the Commissioner's Office found discrepancies between the figures reported by public authorities and figures presented on the Requests and Responses Register of the public authority. Based on the provided clarifications, it was concluded that in certain instances, public authorities register as requests for information even citizens' requests regarding various services provided by the public authority, in the framework of functional duties.

If we were to analyze the past 3 years, we would find that there is a considerable number of requests, indicating that public authorities engage and pay great attention to right to information.

3. PERSONAL DATA PROTECTION

The Commissioner's Office focused on complaints handling and administrative inquiries in various areas and sectors for the category and number of personal data they process or their impact on individuals' privacy. In the course of 2019, the number of personal data subjects' complaints increased as compared to the preceding year. The Commissioner's Office monitored the implementation of recommendations given to public and private controllers in preceding reporting periods. Moreover, attention was paid to requests for international data transfer, for security purposes.

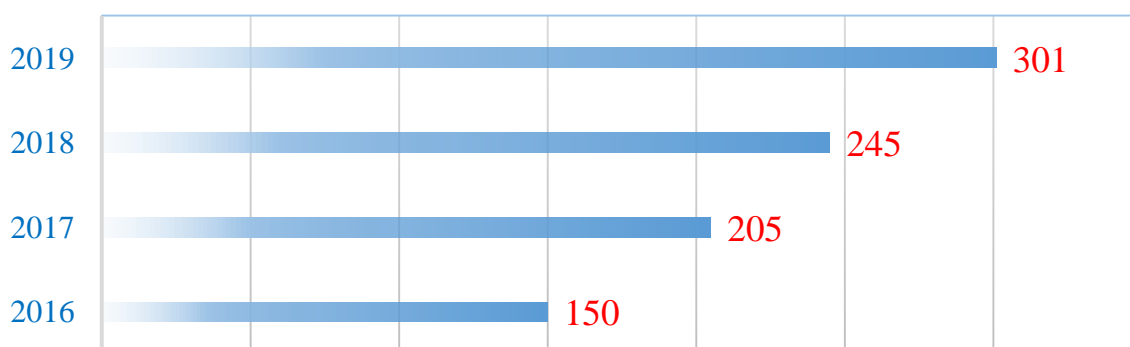
3.1 Complaint handling

In 2019, a total of 301 requests were filed with the Commissioner's Office. Their review found the following issues:

- failure to guarantee the right to personal data access;
- obligation to rectify/erase personal data;
- irregular processing of data from online (electronic) platforms;
- installation of camera surveillance system (CCTV) in public and private settings/illegal distribution of recorded images;
- publication of personal data on the media, mainly on online registered media;
- direct marketing regarding unsolicited telephone or email communication.

It is worth noting the increasing number of complaints against online media. The Commissioner's Office has stepped in when complaints were in accordance with law competences.

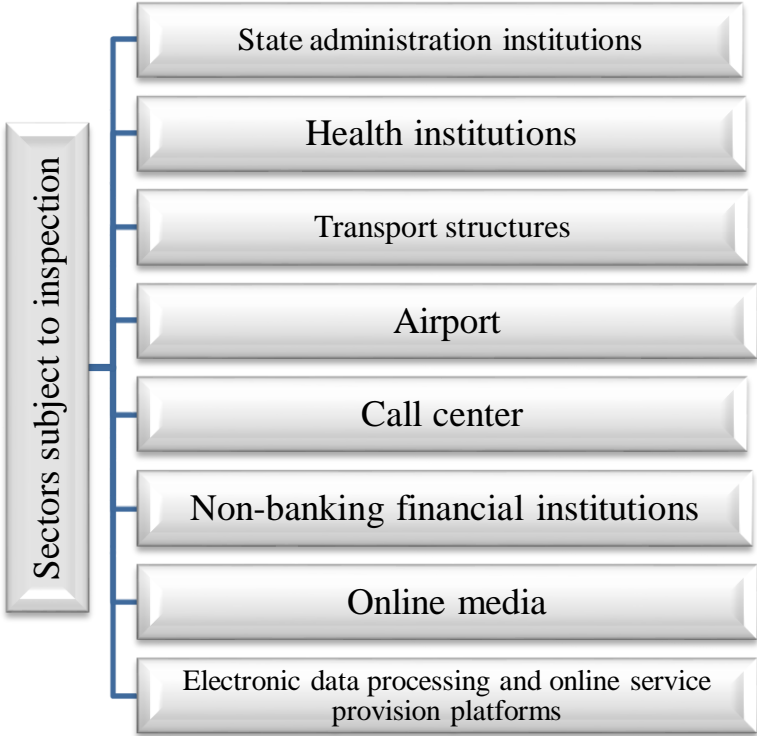
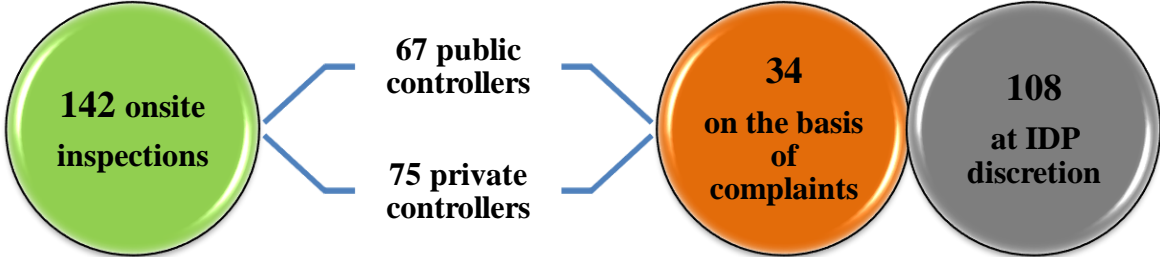
Complaints over the period 2016- 2019



3.2 Monitoring and overseeing the implementation of Law No. 9887/2008 “On Protection of Personal Data”

Over the course of this year, 142 on-site inspections were performed in Tirana and across the country. Administrative inquiries were conducted at the Commissioner's Office discretion and as a result of handling complaints addressed by data subjects. The main sectors where these inquiries were carried out entail state administration and health institutions, call centers, non-banking financial institutions, transport structures, etc.

67 administrative inquiries of public controllers and 75 of private controllers were carried out, whereby 34 inquiries were conducted on the basis of complaints, and 108 were performed at the Commissioner's Office discretion.



In comparison to 2018, the total number of administrative inquiries seems to have decreased, as a result of the fact that this year, the Commissioner's Office mostly focused on on-site inspections, thus increasing the number of related inspections from 108 in 2018 to 142 in 2019.

Online inspections carried out in 2018 gave rise to on-site administrative inquiries for 2019 of those entities that did not implement Article 18 provisions of the law on the protection of personal data. The Commissioner's Office prioritized inspections at the state administration institutions and appreciated the immediate response of controllers in meeting legal obligations. The main issues that were identified during administrative inquiries were as follows:

- lack of technical and organizational measures during processing, in order to prevent the illegal distribution of personal data, especially lack of information security management systems;
- need to improve security measures during the authentication process in online portals;

- unsolicited telephone calls or emails from various service providers (controllers), for promotion purposes via communication. It is indispensable to solve this issue by drafting a special legal framework, which would enable its current and long-term solution.
- illegal collection, storage and processing of image and video data by means of video surveillance system (CCTV);
- exceeding the purpose and terms of personal data processing;
- lack of contractual regulation between the controller and processor;
- lack of staff training, who have access to and process personal data.

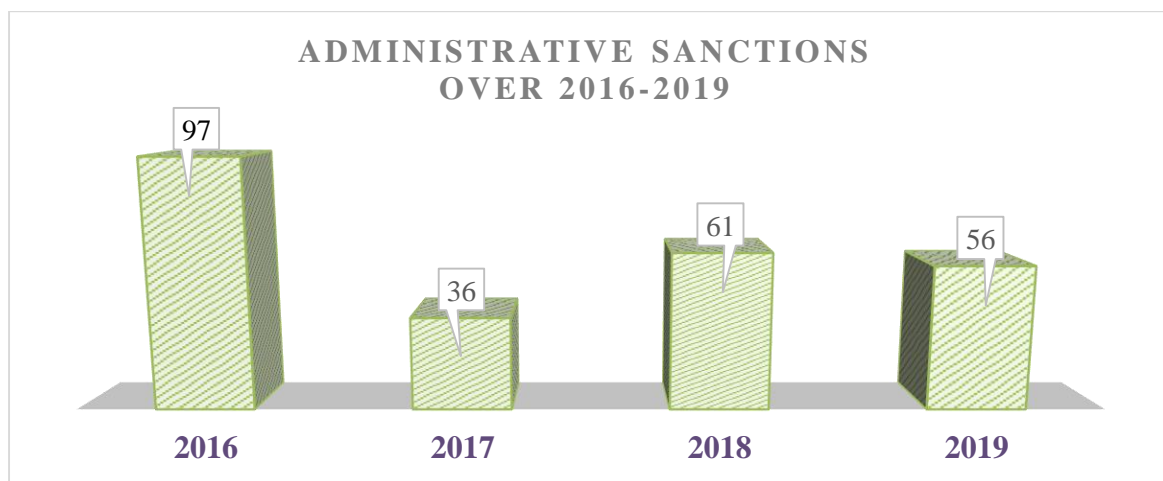
In the frame of verifying the implementation of 2017-2018 recommendations, the Commissioner's Office conducted administrative inquiries at 11 public and private controllers. The inquiries were carried out in cases where there was no response with respect to meeting obligations. Meanwhile, the majority of controllers took immediate measures on the identified violations. Following administrative inquiries, 66 hearing sessions were held, followed by the relevant acts issued by the Commissioner.

3.3 Recommendations and Orders

In accordance with the competences provided for by law on protection of personal data, the Commissioner made 39 recommendations for public and private controllers. Moreover, the Commissioner gave 2 Orders on the discontinuation and destruction of image and video data processing, as well as on guaranteeing the right to access of data subjects. These Orders were promptly implemented by controllers.

3.4 Administrative sanctions

Following administrative inquiries at various public and private controllers, ex officio or on the basis of complaints from data subjects, the Commissioner's Office imposed administrative measures, in cases where violations were serious and recurrent. In conclusion, the Commissioner issued 20 decisions, which comprise 56 administrative sanctions.

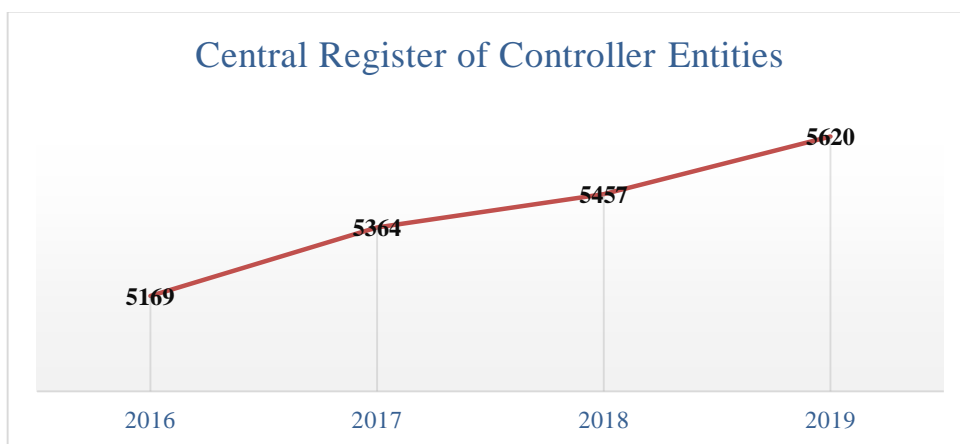


Violations of administratively sanctioned controllers consist, inter alia, of failure to fulfill the notice obligation, preserve personal data security, lack of privacy policies aiming at informing subjects, failure to implement personal data rules during the processing on online platforms, unsolicited calls, etc. It must be noted that generally, the controllers' response was positive, by taking the necessary measures to guarantee individuals' privacy as defined by the relevant legal obligations.

Over the course of this year, attention was paid to the role of the data protection officer at the controllers, which is a crucial element referring to the EU Regulation 679/2016 (GDPR). Strengthening the role of the data protection officer will be the focus of the Commissioner's Office during 2020 as well. The data protection officer is a link in the process of guaranteeing personal data processing security, pursuant to Article 27 of the law and Commissioner Instruction No. 47, dated 14.09.2019 “On Defining Rules for Preserving Personal Data Security Processed by Large Processing Entities”. Failure of public and private controllers to take security measures is an administrative offense.

3.5 Notice

For purposes of legal obligation in the course of this year, 179 controller entities have notified. The total number of processing notices by controllers in the territory of the Republic of Albania was 5691. The number of controller entities registered at the Central Register of Controller Entities was 5620. The accountability of controllers, who process personal data, to notify the Commissioner's Office has increased.



3.6 International transfer

Another objective of the Commissioner's Office is guaranteeing the fair and lawful processing of personal data, in cases when they are processed outside the territory of the Republic of Albania. In 2019, 16 practices were handled on authorizing transfer to countries not ensuring adequate level of personal data protection, and a decision was issued regarding the international transfer in the banking system. In other cases, the authorization of the Commissioner's Office was not necessary, as controllers were guided and instructed for purposes of lawfully and fairly implementing the legislation on personal data protection. It must be emphasized that based on the Controllers Notice Form, administrative inquiries were initiated in cases where it was found that transfer was allowed to countries without an adequate level of personal data protection.

4. LEGAL ACTIVITY, ADMINISTRATIVE AND JUDICIAL PROCEDURES

4.1 Legal acts drafting

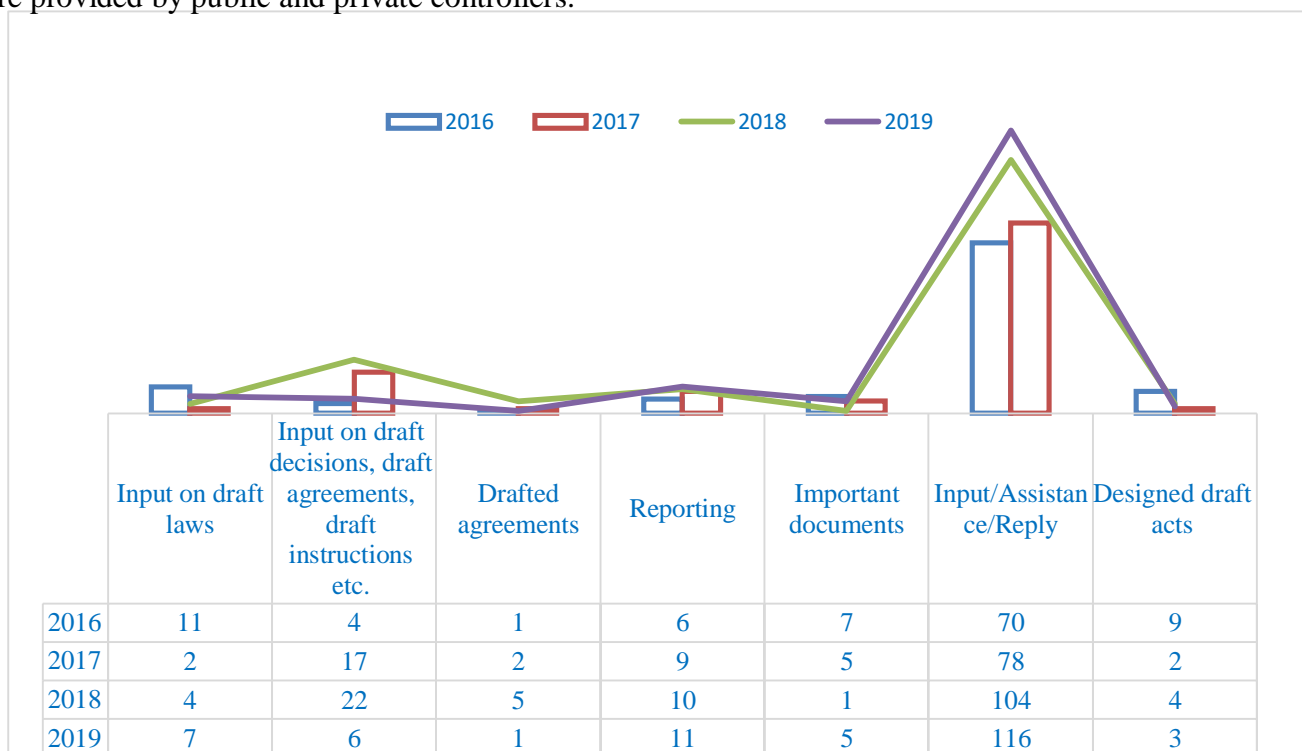
In 2019, for purposes of recommendations deriving from international obligations, the following were drafted:

- Draft law “On the Ratification of the Protocol amending the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data”;
- Draft law “On Adherence to Convention 205 “On Access to Official Documents”
- Draft law “On the Reuse of Public Sector Information”.

The above-cited draft laws were compiled by the Commissioner's Office in the capacity of contributing institution, for purposes of international obligations, as well as in the framework of country integration process. These draft acts were filed to the responsible ministries in the capacity of proposing institutions in order to continue with their approval process.

4.2 Providing inputs on draft acts

Pursuant to Subparagraph a), Paragraph 1, Article 31 of Law on the Protection of Personal Data, the Commissioner's Office provided its input on 13 normative draft-acts, inclusive of draft laws, draft decisions, and draft agreements. Moreover, 116 legal opinions and inputs were provided by public and private controllers.



4.3 Judicial proceedings

As regards the right to information, the total number of judicial proceedings this year was 15, of which 4 were related to decisions made in 2019, 6 were conducted for administrative acts, and 5 proceedings were carried over from 2018.

Out of 15 judicial proceedings, the court upheld the decision of the Commissioner on 8 cases, accepted 1 lawsuit, dismissed 1 case, whereas 5 cases are ongoing.

<i>RIGHT TO INFORMATION</i>	
<i>Year</i>	2019
<i>Judicial proceedings</i>	15
<i>Refuted lawsuits</i>	8
<i>Accepted lawsuits</i>	1
<i>Judicial proceeding dismissal</i>	1
<i>Ongoing judicial proceedings</i>	5

The Commissioner has issued 20 decisions for 2019, in accordance with the Law on Personal Data Protection. Out of these decisions, the controllers have voluntarily executed the administrative sanctions for 8 decisions. The Commissioner's Office has requested the mandatory execution of 11 decisions, whilst 1 decision is awaiting the deadline.

As regards personal data protection, a total of 15 judicial proceedings were performed this year. Among these judicial proceedings, 7 were related to decisions issued in 2019, 2 to administrative acts, 5 to decisions issued in 2018, and 1 case is ongoing.

The court upheld the decision of the Commissioner for 13 cases, whilst 2 cases were dismissed.

<i>PERSONAL DATA PROTECTION</i>	
<i>Year</i>	2019
<i>Voluntary executions</i>	8
<i>Mandatory executions</i>	11
<i>On time to voluntarily execution</i>	1
<i>Judicial proceedings</i>	15
<i>Refuted lawsuits</i>	13
<i>Judicial proceeding dismissal</i>	2

In 2019, the Commissioner's Office followed judicial proceedings at the Administrative Court of Appeal as well. The total number of judicial proceedings at this court is 27 cases, among which, 23 are ongoing; the Court of Appeal upheld the decision of First Instance Administrative Court, thus confirming the Commissioner's decision, and 1 case was refuted and returned for judgment.

5. COOPERATION, RAISING THE AWARENESS AND PROMOTING THE RIGHT TO INFORMATION AND PERSONAL DATA PROTECTION

5.1 International, interinstitutional and civil society co-operation.

5.1.1 Relations with EUROJUST

On November 1st, 2019, the Co-operation Agreement between the Republic of Albania and Eurojust entered into power, successfully finalizing a process that lasted for years. This was made possible through interinstitutional co-operation between the General Prosecution Office, Commissioner's Office and Ministry of Justice, the latter with a coordinating and signatory role of the Agreement, with the support of IPA/2017 Project “Countering Serious Crime in the Western Balkans”.

One of the main terms of the Agreement signed between the parties was guaranteeing the sufficient level of personal data protection while exchanging investigative information, in the framework combating serious crimes, especially organized crime and terrorism.

The Agreement was finalized with the implementation of the Action Plan between the General Prosecution Office and Commissioner's Office, signed on 25.02.2019. For purposes of this Action Plan, monitoring visits were performed at the General Prosecution Office and prosecution offices of the main judicial districts, and recommendations were prepared with the relevant issues and suggestions for taking concrete measures on the part of bodies involved in the process, in compliance with the legislation on personal data protection.

Upon the General Prosecution Office successful implementation of these recommendations, the final monitoring mission of Eurojust experts was conducted, which produced a positive assessment report followed by the official accession of Albania to Eurojust, which is considered a great achievement in the area of criminal justice co-operation.

Pursuant to Article 19 of the Agreement, the Commissioner's Office will continue to have an important role, as it will monitor the implementation of obligations related to personal data protection, and it will draft the annual report for the European Commission, in co-operation with the Data Protection Officer of Eurojust.

5.1.2 International co-operation

The Commissioner's Office was at the focus of international co-operation, as a result of the most important global event in the area of personal data protection, the 41st International Conference of Data Protection and Privacy Commissioners. (*For further information, please see Annex I*)

Moreover, in 2019, the Commissioner's Office was active in the meetings held by international bodies, such as: the European Data Protection Board (EDPB), Consultative Committee of the Convention 108 of the Council of Europe (TPD) and International Working Group on Data Protection in Telecommunication (Berlin Group - IWGDPT).

5.1.3 Civil society co-operation

In the framework of co-operation with civil society organizations, the Commissioner's Office:

- Signed a co-operation agreement with Together for Life association in the frame of “MATRA for European Co-operation Embassy Program 2020” project, which aims at mutual assistance in increasing transparency in health, drafting the transparency index for health institutions, as well as transparency programs dedicated to health.
- Organized the event titled “Higher Education Institutions Transparency”, with students representing Civil Resistance organization. The focus of this event was introduction to the legislation and functions of the Commissioner's Office.
- Carried out a training cycle on the right to information with “Rromano Kham” association activists, in the framework of “Education and Empowerment of Roma Community through Right to Information to Access the Justice System” project.
- Cooperated with the Institute for Democracy and Mediation (IDM), in the framework of “Participation of Civil Society Organizations (CSO) in decision-making in Albania” project.
- Carried out meetings on the right to information with civil society representatives in Tirana, Elbasan and Librazhd. These meetings also comprised introduction to the awareness raising campaign “Ask the Government - Receive an Answer”, on using ERRRI.
- Held a preliminary meeting in the framework of participation to the “Developing Capacity, Cooperation and Culture in Overseeing the Security Sector in Albania, Kosovo and North Macedonia (DECOS) 2019-2022” project of the European Center for Security Studies (CESS). The project aims at empowering parliaments, civil societies and other actors of the system for the democratic overseeing of the security sector.

The Commissioner's Office co-operates and consults recommendations of civil society organizations and reflects them in its activities.

5.2 Trainings

For purposes of enriching staff knowledge of personal data protection, the Commissioner's Office carried out trainings with foreign experts, on the following topics:

- “Data Protection Officer and Codes of Conduct according to the General Data Protection Regulation (GDPR)”;
- “How Accountable Organizations do Data Governance”.

As one of the twinning project “Anticorruption Albania-EU” events, the Commissioner's Office carried out a training on “Assistance to increase Intolerance to Corruption through Awareness Raising and Encouragement for Cooperating with the Civil Society”, with foreign experts.

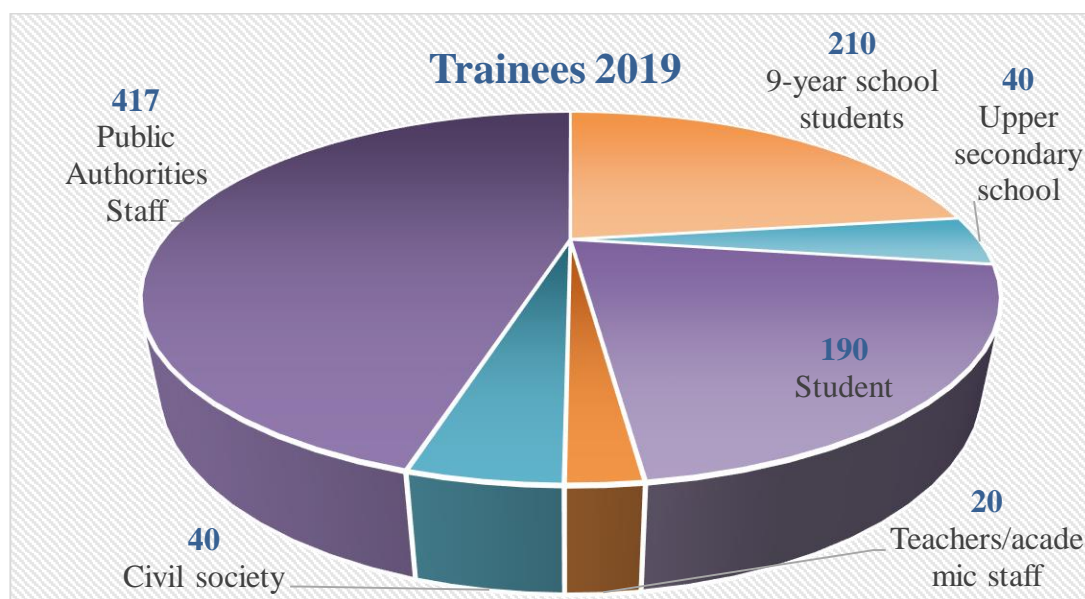
Moreover, the Commissioner's Office continued with the training activities for strengthening capacities of coordinators for the right to information of central and independent institutions on using ERRRI.

5.3 Other activities

On the occasion of 28 January - the International Day of Personal Data Protection, the Commissioner's Office launched the "Play and learn - Happy Onlife", which aims at raising awareness on children personal data and privacy protection.

On the occasion of 28 September - International Day on the Right to Information, as part of awareness raising events for encouraging accountability and transparency of public authorities, the Commissioner's Office invited citizens to use the "Electronic Register of Requests and Responses on the Right to Information", which works as part of the *pyetshtetin.al.* portal.

In 2019, editions 7 and 8 of the "Information and Privacy" Journal were published, presenting the main events of the Commissioner's Office.



6. BUDGET MANAGEMENT

6.1 Development of Human Resources

Management and development of human capacities in compliance with the objectives of the strategy and work program of the Commissioner's Office for 2019, focused on staff expertise and professional growth. The implemented strategy encouraged professional competition and served as a tool to identify and better manage human resources.

For purposes of the Annual Trainings Plan, employees of the Commissioner's Office partook in trainings organized by the Albanian School of Public Administration (ASPA). Moreover, staff participated in trainings organized by local or foreign public/non-public organizations, thus enabling experience exchange and introduction to best practices. 22 employees were trained and certified on 17 various topics. Trainings have directly influenced professional growth, ensuring effectiveness in the functioning and activity of all structures.

6.2 Organizational chart

The structure of the Commissioner's Office was approved by Decision of the Parliament of the Republic of Albania No. 86/2018 “On the Approval of Structure, Organizational Chart, and Classification of Salaries at the Commissioner for the Right to Information and Protection of Personal Data” and comprises 37 employees.

The Commissioner's Office presents a sustainable structure, but it should be completed with the necessary number, which has been identified in the State Report of the European Commission from 2016 onwards, and presented every year in the design of the draft budget. The number of employees is insufficient to cover the main activity of the Commissioner's Office, but also the competences and duties added by special laws.

6.3 Income and expenses

Of the general budget fund for 2019, the Commissioner's Office spent the budget value of 83.435 (in thousand ALL). In the framework of realizing available funds, for purposes of the mission and institutional objectives, measures were taken for following up and reallocating budget funds towards priorities, ensuring effectiveness of public funds use, in compliance with financial management principles and rules. The budget has been realized at its entirety at 98.4%, against the annual plan. The following chart presents rates of each expense category in relation to the total budget, as well as rates and values of the realization of each expense category, against the allocated budget.

The main part of expenses is dedicated to staff salaries and social and health insurance contributions. The general salaries fund has been realized at the value of 40.605 (in thousands) ALL, or 99.9% for the factual number of employees, and 6.669 (in thousands) ALL, or 99.7% of the plan for 2019, for contributions to social and health insurance.

The allocated fund for other current expenses has been realized at the value of 20.591 (in thousands) ALL, or 96% of the planned fund. The necessary planned and approved expenses have been realized, according to the actual needs of the institution and approved projects for investments, amounting to 15.570 (in thousands) ALL, or 97.3% of the planned fund for this expense item.

TABLE OF BUDGET ALLOCATION AND EXECUTION

2019 000 / ALL

No.	ITEM	PLAN	% compared to the total	Actual amount for 12 months	% of execution compared to the annual plan
1	Salary	40,615	48%	40,605	99.9%
2	Social Insurance	6,685	8%	6,669	99.7%
3	Other goods and services	21,060	24.8%	20,215	96%
4	Investments	16,000	18.8%	15,570	97.3%
5	Transfers to family budgets	300	0.3%	300	100%
6	Membership fee	100	0.1%	76	76%
	Total	84,760	100%	83,435	98.4%

The allocated fund for other current expenses has been realized at the value of 20.591 (in thousands) ALL, or 96% of the planned fund. The necessary planned and approved expenses have been realized, according to the actual needs of the institution and approved projects for investments, amounting to 15.570 (in thousands) ALL, or 97.3% of the planned fund for this expense item.

6.4 Income from sanctions

In 2019, the Commissioner's Office collected income from administrative sanctions, for violation of the provisions of the legislation in force. Sanctions are collected at 100% in the state budget and have been paid off either voluntarily or upon mandatory execution. In 2019, the imposed sanctions amount to 5 310 (in thousand ALL), of which the collected amount is 2 895 (in thousand ALL). During this year, 1 478 (in thousands) ALL was collected for sanctions imposed during 2016-2018. The total collected amount from administrative sanctions in 2019 is 4 373 (in thousand ALL).

Total sanctions in 2019	5 310 (in thousand ALL)
On violation of provisions of Law No. 9887/2008, as amended	4 560 (in thousand ALL)
On violation of provisions of Law No. 119/2014.	750 (in thousand ALL)

7. EU PROGRESS REPORT FOR ALBANIA ON THE COMMISSIONER OFFICE

1. *On the protection of personal data, the capacities of the office of the Information and Data Protection Commissioner need to be adequate to perform its tasks effectively.*

The task of the Commissioner's Office is still organizing trainings for personal data protection, which are carried out with the support of IPA and TAIEX programs or other training events, in and outside the Commissioner's Office. Having an appropriate structure to effectively perform tasks does not depend on the Commissioner's Office, it is rather the duty of institutions that approve the number of staff and budget funds. The European Commission State Reports underscore the capacity increase of the Commissioner's Office in terms of staff number and budget.

2. *Further efforts are needed to align the personal data protection legislation with the General Data Protection Regulation 2016/679 25 and the Police Directive 2016/680.*

The Commissioner's Office is a beneficiary of the IPA 2017 programme of the European Union of the twinning project “*Institution Building for Alignment with EU Acquis to meet Economic Criteria related to Data Protection*”, aiming at approximating the Albanian legislation with the European Union legislation, more specifically with the General Data Protection Regulation (GDPR) and the Police Directive. Until the start of the project which is expected to be in the second half of 2020, the Commissioner's Office has begun working on legal amendments in relation to these two acts.

3. *Albania has not yet signed or ratified the 2018 Protocol amending the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data.*

The Commissioner's Office deems that the ratification of the Protocol amending Convention 108 is an important obligation as a member state to the Council of Europe, in order to fulfill and complete legislation in the area of personal data protection. The Commissioner's Office designed the draft law on ratification of the Protocol amending the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, which has been filed to the Ministry of Justice in the capacity of the proposing institution during 2019, to further continue with the approval procedure.

4. *Decisions of the Information and Data Protection Commissioner are not mandatory to public administration officials.*

This recommendation was identified as an issue during the Commissioner's Office activity and was reflected on the designed draft law for amending the law on the right to information, by transforming the Commissioner's decision to an executive title.

8. FULFILLMENT OF INTERNATIONAL OBLIGATIONS

8.1 Screening process

The Commissioner's Office is part of the Chapter “Political Criterion”, Chapter 10 “Information Society and Media”, as well as Chapter 23 “The Judiciary and Fundamental Rights”, according to Prime Minister’s Order No. 94/2019.

- As part of Chapter 23, which the Commissioner's Office has direct contribution to, such as the chapter on human rights and fundamental freedoms, the Commissioner cooperated with the Ministry of Justice in the capacity of the leader institution. Moreover, in the framework of the screening process with EURALIUS and GIZ experts, the Commissioner contributed to filling out the Community Acts Analysis Table (LGA), Administrative Capacities, as well as Tables of Compliance (ToC) for relevant acts related to the area of personal data protection.
- As part of Chapter 24, the Commissioner's Office cooperated with the Ministry of Internal Affairs by contributing to filling out ToCs as regards acts that are part of this chapter and intersect to the area of personal data protection.
- As part of Chapter 10, the Commissioner's Office designed the draft law “On Reusing Public Sector Information”, which transposes Directive 2003/98/EC “On the Re-Use of Public Sector Information”, as amended by Directive 2013/37/EU. Moreover, upon receiving the notification from the European Commission on the approval of the new EU Directive 2019/1024 “Open Data and the Re-Use of Public Sector Information”, following their recommendation, the Commissioner's Office is cooperating with the Ministry of Infrastructure and Energy in the capacity of the proposing institution, for designing the draft law with the amendments produced by the new approved directive.

8.2 Twinning project

The Commissioner's Office is a beneficiary of the IPA 2017 program of the European Union of the twinning project “*Institution Building for Alignment with EU Acquis to meet Economic Criteria related to Data Protection*”, aiming at approximating the Albanian legislation with the European Union legislation, more specifically with the General Data Protection Regulation (GDPR) and the Police Directive. This project is at its initial stage. The Commissioner's Office is currently preparing a fiche, which is in approval process by the European Commission, after which procurement procedures will take place and the project will be implemented in the second half of 2020. Meanwhile, the IPA Steering Unit at the Commissioner's Office has implemented and completed all obligations to other institutions.

8.3 Reportings

The Commissioner's Office contributed in drafting the:

- report for Ministry for Europe and Foreign Affairs on the activity of the Commissioner's Office in 2018 and the first quarter of 2019, in the framework of the 11th meeting of the Subcommittee European Union - Albania on “Justice, Freedom and Security”;
- report on the activity of the Commissioner's Office for 1 January - 31 October 2019, as well as statistical data for 2018, in the framework of preparing the first contribution of the Albanian government to the Report of the European Commission for Albania for 2020;
- report in the framework of drafting the National Plan on European Integration 2020-2022, for Chapters 23 and 10, on planning legal acts and strategic documents aiming at approximating the European Union legislation;
- periodic report in the framework of participation in Berlin Group;
- six four-month reports pursuant to Decision No. 134/2018 of the Parliament of the Republic of Albania, three of them for purposes of Parliament Resolution and three for Commissioner recommendations.

9. IMPLEMENTATION LEVEL OF THE 2019 PARLIAMENT RESOLUTION

In 2019, the Parliament of the Republic of Albania requested the Commissioner's Office to:

1. *Increase overseeing and monitoring of Law No. 119/2014 "On the Right to Information" implementation, on the thematic plan, aiming at enhancing control over the public administration activity, for guaranteeing citizens' rights and access to information".*

"Fully realized" - In the framework of law on the right to information implementation, the Commissioner's Office conducted the online monitoring of independent institutions and ministries websites, aiming at verifying the implementation of transparency program. Following this monitoring, the Commissioner generated 30 Recommendations.

2. *Monitoring the update of transparency programmes and requests and responses register by public authorities, especially focusing on ministries and local power bodies;*

"Fully realized" - The Commissioner's Office updated the list of Public Authorities, which amount to 417 as compared to 525 in 2018. The monitoring showed that 246 public authorities published the transparency program on their websites, 189 published the response and requests register, and 236 published the contact information of the coordinator on the right to information. As regards local power, the monitoring carried out in December showed that 57 local self-governance units published the new transparency program. With respect to ministries, the monitoring and overseeing activity of the Commissioner's Office in that regard was reflected in Paragraph 1 above.

3. *Investing in the further development and maintenance of the electronic requests and responses register for the right to information, managed by public authorities.*

"Fully realized" - the Commissioner's Office is part of the Sector Budget Support Contract for Public Administration Reform, covering the indicator for improving the implementation of the law on the right to information. Despite the fulfillment of the indicator at the required value and disbursement of tranches by the European Commission for the state budget, the Ministry of Finance and Economy does not prioritize fund raising for the Commissioner's Office. Funds to be raised from budget support would be used by the Commissioner's Office for installing ERRRI at all Public Authorities.

Where there were no funds, the Commissioner's Office cooperated with donors, thus enabling the installation of ERRRI in 27 Public Authorities. Moreover, in 2019, the Commissioner's Office requested Public Authorities (independent institutions and local self-governance units) to further scale up ERRRI on their own funds. In response to the Commissioner's Office request, ERRRI was added by 4 Public Authorities increasing the total number to 31. However, the scale up progress is not satisfactory, due to these public authorities lacking financial resources.

4. *Drafting the process and monitoring and overseeing the implementation of Law No. 9887, dated 10.3.2008 “On Protection of Personal Data” aiming at minimizing law violations, privacy implementation and fair and lawful processing of personal data;*

“Fully realized” - During this period, 301 complaints submitted by personal data subjects were handled. 142 inspections were carried out, of which 108 were based on the thematic plan in the state administration sectors, health (*regional and private hospitals, private clinics*), transport (*agencies in the area of transport*), call centers, as well as 34 inspections on the basis of complaint. As compared to 2018, the Commissioner's Office increased the number of inspections based on the thematic plan, amounting to 108 from a total of 80 inspections in 2018.

5. *Overseeing public and private controllers regarding the implementation of obligation to inform data subjects on their rights, purpose and processing, publication of privacy policies in their websites;*

“Fully realized”- The Commissioner's Office has carried out several inspections with the view to oversee public and private controllers. For public controllers, the subject of inspection was the implementation of the law ‘On Personal Data Protection’, focusing especially on the publication of privacy policies on their *websites*. Inspections at private controllers were carried out in the above mentioned sectors, with a view to implement the law on personal data protection and the acts adopted by the Commissioner regarding the collection, processing purpose, obligation to inform data subjects, as well as ensuring data storage and security. Upon relevant inspections conducted, the Commissioner’s Office generated 39 Recommendations, 20 Decisions with 56 administrative sanctions and 2 Orders for public and private controllers.

6. *Strengthening administrative measures on noted legal violations, with a particular focus on lack of transparency programs, as well as requests and responses register;*

“Fully realized”- The Commissioner’s Office has developed a detailed monitoring process of transparency programs, as well as of the requests and responses register of Public Authorities. Upon completing this process, the Commissioner’s Office introduced 30 Recommendations for public authorities, under a 90-days implementation deadline.

7. *Engaging in playing an active role in online media activity regulation by providing proactive public information from public authorities while upholding and guaranteeing privacy principles and legislation;*

“Fully realized” - The Commissioner’s Office has played an active role as regards this recommendation by intervening in cases where complaints addressed to online media have been legitimized. Upon reviewing complaints, the Commissioner’s Office has addressed the media or portals with the aim of verifying the legitimacy to obtain video footage, as well as publish it on their websites. In such cases, upon the Commissioner’s Office intervention there was positive feedback by registered controllers (media/portals) by removing video footage of the event or deleting the story. The subject of these complaints was:

- erasing data from online portals:
- removing videos obtained from the domestic CCTV system and then published in the online media;
- personal data publication in online portals articles.

8. *Strengthening the cooperative relations with international partners, in fulfilling the commitments undertaken under joint projects, which aim at improving the two areas of the institution's activity and organization of trainings;*

“Fully realized” – In terms of international cooperation, the Commissioner's Office attracted special attention due to the organization of the world's most important activity in the field of personal data protection, the 41st International Conference of Data Protection and Privacy Commissioners.

9. *Maintaining an active role in favor of the country's integration processes, in fulfilling the function of the member of the Executive Committee of the ICDPPC, as well as that of the observer in the European Personal Data Protection Board;*

“Fully realized” - As a member of the Executive Committee of the International Conference (ExCo-ICDPPC), the Commissioner's Office has co-chaired the organization process of its 41st edition, held in Tirana on 21-24 October 2019. As an observer of the European Board (EDPB), it has regularly attended the meetings and discussions held in this forum.

10. *Supporting the drafting process of the necessary legal and sub-legal framework in order to align the Albanian legislation in the field of personal data protection with the relevant EU legislation, especially with Regulation (EU) 2016/679 of the European Parliament and of the Council, dated 27 April 2016 (General Personal Data Protection Regulation) and Directive (EU) 2016/680 of the European Parliament and of the Council, dated 27 April 2016 (Directive on the protection of natural persons with regard to the processing of personal data during criminal process);*

“Fully realized” - In the framework of the approximation of the Albanian legislation in the field of personal data protection with the relevant European Union legislation, namely the General Data Protection Regulation (GDPR) and the Police Directive, the Commissioner's Office carried out all the preparatory work and the procedures to be followed for the implementation of the twinning project, whose aim is the approximation of the domestic legislation with the above mentioned acts. This project is expected to be launched in the second half of 2020.

11. *Intensifying and promoting work in full compliance with international obligations on ratifying and signing the Additional Protocol of Convention 108 “On the Protection of Individuals with regard to Automatic Processing of Personal Data”;*

“Fully realized” - The Commissioner's Office compiled the draft law “On Ratification of Amending Protocol of Convention 108 for the Protection of Individuals with regard to Automatic Processing of Personal Data”. Regarding this act, a legal analysis was carried

out concerning the Amending Protocol of Convention 108 in relation to the law on personal data protection. The draft law “On the Ratification of Amending the Protocol of Convention 108 “On the Protection of Individuals with regard to Automatic Processing of Personal Data ”, was forwarded to the Ministry of Justice as the proposed institution to further its approval procedures.

12. *Continuing information and awareness-raising activities to educate youth on the rights and responsibilities of using personal data in digital environments.*

“Fully realized” - In the framework of awareness-raising activities among youth, meetings/trainings on the right to information and personal data protection were held in several Higher Education Institutions (public and private) in Tirana, Durrës and Elbasan. More than 200 people participated in these activities. The Commissioner’s Office undertook the awareness-raising campaign “*Play and Learn-Happy Onlife*” with six 9-year schools in Tirana with the aim of raising awareness about personal data protection in the digital environment of 8-14 year olds. More than 150 children participated in these meetings. This project will be further expanded by developing the “*Digital Education, Play and Learn - Happy Onlife*” initiative in other cities of Albania.

10. NEED FOR CHANGE IN THE LEGAL FRAMEWORK GOVERNING THE INSTITUTION'S ACTIVITY

10.1 Approximation of law on personal data protection with the General Personal Data Protection Regulation and Police Directive.

In the framework of meeting the obligations arising from the EU integration process, the alignment of legislation in force on personal data protection with that of the *Acquis Communautaire* remains a top priority. With the entry into force of Regulation 2016/679 and Directive 2016/680, as well as the modernization of Convention 108, the legal framework for personal data protection is in the midst of a major revolution under the European reform. Upon the finalization of the legal amendments, the sub-legal framework for their implementation will be established. In order to fulfill and realize NPEI 2020-2022, the adoption of the new Law on Personal Data Protection and approximation with Regulation 2016/679 and Directive 2016/680 has been foreseen in the fourth quarter of 2021.

10.2 Approval of the draft law “On Open Data and Reuse of Public Sector Information” under the transposition of the EU Directive 2019/1024

The Commissioner's Office identified the need to comply with the missing part of legislation in force on the right to information, enabling the reuse of documents made public more than once by public sector bodies. In this context, the Commissioner's Office deems paramount the approval of the draft law "On Open Data and the Reuse of Public Sector Information", which shall transpose EU Directive 2019/1024.

10.3 Approval of Draft Law “On Unsolicited Phone Calls”

Due to frequent complaints at the Commissioner's Office regarding the concern of receiving unsolicited calls from various service providers who, through communication, aim to carry out promotional activities, the latter deems it necessary to compile a draft law on unsolicited phone calls. The purpose of this draft law is to create the register of unsolicited commercial communications, as well as to set rules on the use, access, administration and legal processing of personal data.

11. INSTITUTIONAL VISION

The vision of the Commissioner's Office is to strengthen the partnership with citizens in guaranteeing their constitutional rights, as well as establishing bridges of cooperation with controllers and public authorities to improve the enforcement of these rights.

To accomplish the above, the objectives of the Commissioner's Office during 2020 shall be:

- approximation of national legislation with the European legislation (Convention 108+, Regulation 2016/679, Directive 2016/680);
- concrete measures regarding unsolicited phone calls or emails;
- overseeing controllers in the area of health and information and communication technology;
- reviewing the model transparency program and the requests and responses register model;
- scaling up the requests and responses electronic register;
- strengthening the role and capacities of the right to information coordinator;
- awareness-raising and training activities organized by the Commissioner's Office within the areas of activity on information and awareness of rights and obligations.

Besides the relevance of fulfilling the above mentioned goals, which are simply the reflection of the Commissioner's Office mission and vision, it is also important to increase positive perception among all beneficiaries of the legislation that the authority has within its scope of activity. During these years, the Commissioner's Office has been treading on new and intact terrain, trying to establish consolidated and valid practices for all those who benefit from this law.

For this reason, we have been trying to establish the best of standards, as well as to reflect the acquired experience gained from partner exchanges during our work. On the other hand, we have continuously struggled to operate with integrity and inclusion in order to create an efficient, transparent and friendly institution. This philosophy may not always produce immediate results, but it is a long-term investment which we deem as the best opportunity to further improve and develop the protection of human rights and fundamental freedoms, in particular the right to information and personal data protection.

ANNEX 1 - THE 41st INTERNATIONAL CONFERENCE OF DATA PROTECTION AND PRIVACY COMMISSIONERS (ICDPPC)

The Commissioner's Office organized the 41st International Conference of Data Protection and Privacy Commissioners (ICDPPC) on 21-24 October 2019, at the Palace of Congresses premises. The International Conference is the most important forum of co-operation and co-ordination of data protection authorities around the world in this field and was held for the first time in Albania and the Western Balkans region.

In planning this activity, the Commissioner's Office was assisted by a National Board and an International Programme Advisory Committee, which consisted of prominent local and foreign experts. The Authority co-operated in organizing the Conference with several Albanian institutions and private organizations.



The steering body of the International Conference is the Executive Committee, of which the Commissioner's Office is also a member. The Conference is divided into two modules, a Closed Session and an Open Session. The Closed Session was held on 21 and 22 October 2019, gathering 220 delegates from 90 Member and Observing Data Protection and Privacy Authorities from around the world. The proceedings of this Session were welcomed by the Speaker of the Parliament of Albania, Mr. Gramoz Ruçi.





Six important documents were adopted at the Closed Session:

- 1) Resolution on the Conference's strategic direction;
- 2) Resolution on the promotion of new and long-term practical instruments and continued legal efforts for effective cooperation in cross-border enforcement;
- 3) Resolution on privacy as a fundamental human right and a precondition for exercising other fundamental rights;
- 4) Resolution to support and facilitate regulatory cooperation between data protection authorities and consumer protection and competition Authorities to achieve clear and consistently high standards of data protection in the digital economy;
- 5) Resolution to address the role of human error in personal data breaches;
- 6) Resolution on social media and violent extremist content online.

In the framework of its evolution, and current work to modernize it, the Conference was renamed "Global Privacy Assembly" - (GPA).

Another important constituent of the Conference's agenda was the Global Privacy and Data Protection Awards ceremony. This is where DPAs' celebrate their annual achievements scored in the exercise of their mandates. The Data Protection Authority of the Canton of Zurich was the winner in the "*Education and Public Awareness*" category on the awareness-raising campaign for children aged 4-9. The New Zealand Authority won the "*Dispute Resolution and Enforcement Award*" for their inquiry into the Ministry of Social Development. The European Data Protection Supervisor received the "*Innovation*" award on the initiative to launch a website for conducting online administrative inquiries. The Spanish DPA succeeded in both "Accountability" and "People's Choice" awards categories on the online questionnaire project, which serves mainly to small and medium-sized enterprises in fulfilling their legal obligations. A sixth prize was awarded for the first time by the Conference

organizer to recognize posthumously the more than 20-year contribution of Mr. Giovanni Buttarelli, the former European Data Protection Supervisor, after his death in August 2019.



The Open Session was held on 23-24 October gathering over 700 delegates from Data Protection and Privacy Member/Observing Authorities, academia, experts and practitioners in the field of personal data protection, civil society, business, media, guests from around the world, etc. Participants in this Session were welcomed by the Prime Minister of Albania, Mr. Edi Rama and the Mayor of Tirana, Mr. Erion Veliaj.



The Open Session Agenda was dynamic and inclusive, featuring prominent keynote speakers:

- **Brad Smith**, President of Microsoft;
- **Jamie Bartlett**, Author of bestselling book 'People vs Tech' and BBC series presenter of 'Secrets of Silicon Valley' ;
- **Christopher Docksey**, Honorary Director-General of the European Data Protection Supervisor (EDPS);



It further evolved around 5 panels comprising 38 speakers, who discussed the following topics:

- Global convergence in data protection law: where are we converging and what progress are we making towards common standards;
- Addressing global privacy challenge for data-driven business models;
- Data protection and competition as converging digital regulation: from theory to practice;
- Accountability – the global bridge to support high standards of data protection?;
- Future challenges for data protection authorities and data protection officers.



The 41th International Conference featured 25 side events organized by the European Commission; Council of Europe; European Data Protection Supervisor (EDPS); Global Privacy Enforcement Network (GPEN); US Department of Justice; the Data Protection Unit of Europol; UK Information Commissioner Office (ICO); World Privacy Forum; OECD; Ibero American Data Protection Network; Research Group on Law, Science, Technology & Society (LSTS); African Network of Data Protection Authorities; Korea Internet & Security Agency; US Chamber of Commerce; U.S Information Technology Industry Council; Washington College of Law; U.S Brookings Institution; Centre for Information Policy Leadership (CIPL); Information Accountability Foundation (IAF); OneTrust; Vrije Universiteit Brussel (VUB); GSMA; Facebook; Google; Beijing Normal University & Huawei Technologies Co. Ltd; Consulcesi Tech SA, etc.



In the framework of the International Conference, the Commissioner's Office held at the Centre for Openness and Dialogue (COD) the side event under the theme "*Data Protection in Digital Economy: Third Countries vis-à-vis the GDPR*". The aim of this session was to establish a dialogue in raising awareness and enhancing engagement of all the stakeholders involved in the digital economy, in order to address challenges and introductions brought about by the General Data Protection Regulation. Panelists, local experts, representatives of the Competition Authority, Ministry of Infrastructure and Energy, National Agency for Information Society, and international experts with renowned expertise in the domain, as well as a representative of the Swiss Federal Personal Data Protection Authority, suggested their standpoints, current practices, identified issues and possible solutions in achieving GDPR compliance at national legislation level.



Bilateral and multilateral meetings, network, forum, organizational meetings, press conferences, national and international organizational exhibitions, and many social and cultural activities were held during the Conference's week.