

CREDENTIALS COMMITTEE DOCUMENTATION 1999 – 2006

PREFACE

The annual International Conference of Privacy and Data Protection Commissioners had, by 1999, been meeting for more than 21 years. It had grown in stature and size and was undoubtedly the global forum of data protection law enforcers.

Notwithstanding its longevity, the conference institutionally ran much as it always had notwithstanding burgeoning levels of participation. A number of commissioners wished to see the conference move to a new level. In particular, there was a desire to have the conference become not only the global meeting place of data protection authorities but also their global *voice*. To speak with one voice, a procedure was needed to adopt resolutions.

Accordingly, in 1999 the New Zealand Privacy Commissioner was asked by the host of the 21st International Conference to devise a process to adopt resolutions. This built in part upon earlier work that the New Zealand commissioner had undertaken for the conference to review the conference's shape and future. The work in developing a process for adopting resolutions led logically to the conference needing an accreditation framework. Who would be allowed to vote? How to determine who is a data protection authority? The informality of previous years did not fit happily with the wish to adopt resolutions.

The period 1999 to 2006 represents a fairly busy period in developing and operating a credentials framework. There has been a continuity of personnel involved in that process. That period of continuity of personnel is drawing to a close with a new Committee to be formed in November 2006.

This compilation of documentation has been assembled to assist in the transfer of knowledge to a new Credentials Committee. New Zealand participated in the working group that developed the resolution and credentials framework and then the inaugural, first and second Credentials Committees. As New Zealand became the *de facto* secretariat to the Credentials Committee, it possesses a significant amount of documentation and knowledge in relation to the work of the working group and committees. This volume, and accompanying volumes containing accreditation application forms and assessment checklists, captures much of what the working group and Credentials Committee were involved in.

This volume is in four parts covering:

- (a) Introduction
- (b) Origins
- (c) Systems
- (d) Positions developed and taken.

In the *introduction* there are copies of the documents that underpin the Committee. The principles it applies in its work are set out.

In the material on *origins* there are various documents relating to the working group that devised the credentials framework. For those wishing to delve into why the credentials framework is drafted as it is, this documentation may offer some insights.

In the *systems* documentation there are materials concerning the processes set up for the Credentials Committee and its sub-group. In particular, the application form and checklist are set out with relevant background documentation. Certain administrative documents and specimen communications that may be of interest to future committees are included.

The fourth part of the volume addresses *positions developed or taken* by the Committee and sub-group. The working group, Credentials Committee and sub-group have each met once on different occasions (with two further combined meeting of part of the Committee and sub-group to speak with certain applicants). However, nearly all of the accreditation work has been completed remotely in dispersed cities around the world by exchange of email. Like the conference itself, the work has been completed by consensus. The actual processing of applications was done routinely on the agreement of two of the three sub-group/Committee members.

The only formal public documentation that can be attributed to the Committee are the recommendations made on particular applications (i.e. the annual accreditation resolution) and the annual reports. Both these series of documents are included. However, future committees that wish to better understand the positions taken by the first committees should also look to other documents which record the consensus reached in particular cases or on particular issues. For example, the checklists completed for all applications set out in varying levels of detail how the sub-group members have approached the issues. Similarly, some of the brief public positions contained in the Committee's annual report are explored in more detail in interpretative memoranda and other communications contained in the volume.

It is my hope that this volume will assist future committees so that consistency may be maintained in interpretations taken. On the administrative side, there is plenty of scope for new committees to be innovative but the documentation will at least explain how things have been done in the past and why they were done that way.

Blair Stewart
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August 2006