

ACCREDITATION OF DATA PROTECTION AUTHORITY  
CHECKLIST FOR THE CREDENTIALS SUB-GROUP

1 Name of Authority

Commission de Contrôle des Fichiers de l'O.I.P.C.-  
Interpol

2 Does the authority have clear and wide ranging data protection functions covering a broad area of economic activity (eg not just an advising body or a body operating in a narrow field such as medical privacy)?

No

Notes

The competence of the authority relates only to international police files

*The competence is limited to a particular area of activity and is essentially internally focussed*

3 Legal Basis.  
Is the authority a public body established on an appropriate legal basis (eg by statute or regulation)?

Yes

Notes

4 Autonomy and Independence?  
Is the authority guaranteed on appropriate degree of autonomy and independence to perform its functions (eg the power to make public statements and protection from removal from office)?

Yes

Notes

5 Consistency with International Instruments.  
Is the law under which the authority operates compatible with at least one of the international instruments dealing with data protection and privacy (eg EU Directive, OECD Guidelines, Council of Europe Convention)?

Yes

Notes

*None are cited in the application but the various rules applied seem broadly consistent with the approach taken in the main international instruments*

6 Appropriate Functions.  
Does the authority have an appropriate range of functions with the legal powers necessary to perform those functions (eg the power to receive and investigate complaints from individuals without seeking permission)?

Yes

Notes

*The Supervisory Board appears to be able to make recommendations that must normally be acted upon by the General Secretary though there remains the possibility that he does not have to do so but must formally report this back to the Board*

7 Does the Sub-group recommend accreditation?

Yes

Notes

*Although there are some potential short comings in terms of sanctions, the Board is undoubtedly an independent data protection control body*

8 If accreditation is recommended what is the accreditation as?

**Authority within an international or supranational body**

Notes

9 If accreditation is as an authority within an international/supranational body does the recommendation include voting rights?

**Yes only on resolution dealing with police matters?**

*No voting rights*

Notes

Area of competence to narrow- activities not public

*The system of DP supervision is focussed on the control of its own activities and voting rights would be inappropriate*

10 If accreditation is not recommended does the Sub Group recommend that accreditation is refused or is more information needed before a decision can be made?

Refusal

More Information

Notes

11 If accreditation is not recommended and the application is from an authority with narrow functions does the Sub

Notes

Group recommend that, at the discretion of the conference host, observer status is granted?

Not Applicable

Yes

Not

If more information is required what is this:

To confirm no public statement power even internally,  
To know better the consequences in case of a breach of the regulation

*?These matters have been explained in the application and supporting documentation-  
further enquiries not necessary*

Signed on behalf of the Sub-  
group:

Marie Georges

Date: 4 June, 2003

*Jonathan Bamford*

Date: 26<sup>th</sup> June 2003

Date:

Note: 2 signatures required for recommendations for accreditation.  
3 signatures required for recommendations for refusal