

88th General Assembly session - Santiago (October, 2019)
Mr Vitalie PÎRLOG
Chairperson of the Commission for the Control of INTERPOL's Files

INTERPOL President,
Secretary General,
Members of the Executive Committee,
Delegates,
Ladies and Gentlemen,

I am delighted to present once again this year a review of the Commission's work, the challenges it continues to face, and its main areas of work for the forthcoming period.

The CCF has seen a sharp increase in its activities and examined a broader range of issues. The reasons for these developments are manifold, in particular the growth in international police cooperation through INTERPOL channels, technological innovations and increasingly complex national and regional data-protection legislation. This affects both chambers of the Commission - the Supervisory and Advisory Chamber, and the Requests Chamber. This also requires a proactive approach from the Commission, which has to assess the risks and constantly adapt.

To perform its duties successfully, the CCF identifies and analyses new constraints and issues that will have an inevitable impact on INTERPOL and the Commission's work so it can better tackle them. It pays particular attention to the success factors for its three functions of supervision, providing advice, and processing requests.

With regard to the requests received, namely for access to the INTERPOL Information System and to correct or delete data processed in this System, the Commission must ensure the processes are of a high quality and efficient. It constantly monitors cases at each stage of the procedure, from the receipt of a file to the final decision, ensuring that the processes and resources at its disposal allow for the satisfactory processing of cases within the short statutory deadlines to which we are all bound.

This is why, when the Commission consults the various parties involved, it asks them to respond within tight deadlines. Of course, extra time may be granted for them to respond as long as an extension is justified and, above all, reasonable. Roughly 1,600 new requests were submitted to the Commission in 2018.

I should like also like to take this opportunity to remind you that the Commission checks the compliance of all requests with INTERPOL's rules and the international standards to which they refer.

Information communicated to parties and linked to requests may be a particularly sensitive subject in the specific context of international police cooperation. These international standards require the Commission to abide by the adversarial process, and its Statute lays down that all its decisions must be reasoned. As a result, it has to assess the impact on the adversarial principle of the restrictions concerning information that is communicates, and take it into consideration in its conclusions.

In order to remain efficient and relevant, the Commission has adjusted its operating rules to achieve two aims: to provide a clear and flexible decision-making process in order to avoid any obstacles to its functioning, and to strengthen its independence.

However, although the Commission is an independent entity, it is not deaf - it listens to criticism and the needs expressed.

The Commission has often been reproached for being opaque, and it has itself observed that to manage cases in an optimal manner it is crucial that each party understands not only the Commission's exact terms of reference and limits, but also that simple, easily accessible tools that are easy to use are available to the parties. It has consequently taken a number of initiatives with this in mind.

On its dedicated webpage on INTERPOL's website, the CCF has published a guide for requesting parties including new, anonymous and easily identifiable extracts of decisions that will soon be available in INTERPOL's four working languages. This increased transparency should allow for a greater understanding by all parties of the legal system under which the Commission operates.

The Commission has continued to develop and update the forms for submitting requests.

It has also taken steps and developed various tools intended to facilitate exchanges with NCBs, since the quality of processing requests depends largely on their cooperation.

The Commission is attentive to these factors of success in its daily work, which can quickly become sources of risk if they fail to come together or are not implemented properly.

The Commission is also very attentive to other sources of risk such as the misuse of the available resources, which would affect its ability to fulfil its mission correctly. This happens, for example, when a requesting party submerges it with information that clearly bears no relation to the request, or when an NCB systematically requests long or unreasonable deadline extensions to respond even to simple questions.

The Commission is generally very vigilant concerning potential risks that may affect the Organization.

In this respect, I should like to emphasize the important work done by the Supervisory and Advisory Chamber, whose mission involves examining INTERPOL projects involving the processing of personal data such as new databases, crime analysis files, cooperation partnerships and agreements, or developments in INTERPOL's legal framework relating to data-processing. Its conclusions and advice are essential: it aims to ensure the compliance of projects with the applicable rules and to advise the Organization on how to achieve that if necessary.

This function within the Commission is crucial. When monitoring the compliance of projects with the rules, the Chamber is fulfilling its mission to prevent potential claims being made against the Organization. It also participates in drawing up INTERPOL data-processing standards that are commensurate with the standards required by its most demanding member countries.

Ladies and gentlemen, on behalf of the Commission, may I assure you of our commitment to supporting the Organization through its three roles of supervision, advice, and processing requests. The Commission ensures compliance with INTERPOL's rules and applies them carefully in the light of all the interests at stake. Above all, it continues to strive to ensure a balance is struck between the parties: the needs of international police cooperation and the basic rights of individuals.

Thank you for your attention.