

SPEECH DELIVERED BY

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Mr. President,

Mr. Secretary-General,

Distinguished Delegates,

Today, we have the privilege of presenting the Annual Report of the Commission for 2021. It is an opportunity to discuss our work, including the accomplishments and challenges over the past year, and what we expect going forward. There will be time for questions at the end.

The seven members of the newly composed Commission you just elected come from a variety of backgrounds, fields of expertise, and countries. I can assure you that all are engaged and committed to the work of the Commission, which in turn supports the work of INTERPOL.

I believe we all agree that the work of the Commission protects INTERPOL's credibility within the international community, its reputation before the public, and its immunity before judicial tribunals and courts. That immunity is crucial for INTERPOL and thus essential to the adequate functioning of INTERPOL. As mandated by its Statute, the most recent version of which was adopted at the General Assembly in Indonesia in 2016, the Commission oversees the processing of personal data in INTERPOL's files, and addresses individuals' right to challenge alleged violations of the Organization's Constitution and Rules.

In practical terms, the Commission functions at various levels throughout the Organization. Firstly, it works alongside the INTERPOL General Secretariat to ensure that INTERPOL's projects, databases, and procedures, respect the principles of data protection reflected in INTERPOL's own rules. Secondly, it performs checks to help INTERPOL identify and remedy structural or systematic violations of INTERPOL's rules. Thirdly, and lastly, it processes individual requests.

To focus on individual requests, and as I am sure many of your NCBs are familiar, the Commission serves as the body which individuals can approach to request access to data or to correct or delete data concerning them in INTERPOL's files.

As part of this work, the Commission decides cases brought by applicants whose personal data are retained in INTERPOL's files, such as by virtue of a notice or diffusion against them, and who believe that INTERPOL's rules were not followed in their particular case.

Your authorities' cooperation, which is required under INTERPOL's rules, is central to the ability of the Commission to review the legal compliance of data in INTERPOL's files.

Without the cooperation of your NCBs, the Commission would be unable to determine that the data under review are compliant with INTERPOL's rules. And of course, where the data are not compliant, it must be deleted from INTERPOL's files.

In other words, we rely on that information provided by your NCBs to effectively carry out our mandate, and we hope that you can see in our reasoned decisions why we asked the questions transmitted to you, and how your information was used in deciding the case.

Of course, it is not always the case that NCBs and the Commission will agree, but we want the relationship to be of mutual respect and understanding each other's roles and competencies.

We believe that by appreciating the very particular and limited mandate of the Commission, NCBs are better positioned to address the Commission's requests for information and understand its decisions.

I emphasize that although the Commission decides cases, we do not operate in the same manner of a judicial tribunal at national level. We do not resolve disputes of facts, we do not make evidentiary rulings, and we do not make general pronouncements regarding a judicial system.

Furthermore, we do not act as a substitute for the national judicial authorities charged with assessing the appropriateness of extradition. The entirety of the Commission's work focuses on one question: whether the data under review are compliant with INTERPOL's rules.

Now let me give you some details on the Commission's work last year.

The Commission's Supervisory and Advisory Chamber provided numerous consultations to the INTERPOL General Secretariat on the compliance of ongoing projects and procedures that entail the processing of personal data in INTERPOL's files.

As you are well aware, the need to uphold the ever-growing standards for data protection is a condition set by many countries for their participation in a project. The supervisory work of the Chamber assists in enabling INTERPOL to promote the widest cooperation possible between police authorities on a global scale.

As for the Requests Chamber, the Commission received over 1,400 new requests from over 1,600 new applicants. The Chamber was able to finalize 1,597 cases.

With these numbers in mind, which only communicate a portion of the overall amount of work handled by the Commission, we will now talk for a few minutes about some of the challenges faced and our thoughts on addressing them. I think many of the challenges will be familiar to you from your own national systems.

The work of the Commission has become increasingly complex. This is in part due to the increased complexity of the technological systems and databases used by INTERPOL, but I think even more so because of the increasingly detailed and sophisticated arguments and information provided by NCBs and applicants.

To emphasize this last point, it is definitely true that the number of cases being handled by the Commission has significantly increased over the years, but even more challenging is the fact that the data processed by NCBs and the requests from the applicants are significantly more complicated, often involving sophisticated allegations of fraud and public corruption. This complexity means more work for the Commission, and in many cases, more work for the NCBs when the Commission requests information from the NCB source of the data.

Another challenge facing the Commission, in its capacity as the Organization's oversight body, is the amount of concern and attention paid to INTERPOL from numerous external observers, whether they be media, national or regional bodies, or non-government organizations. The growing number of public allegations and reports of misuses of INTERPOL's channels have prompted observers to review, comment, and question whether INTERPOL and the Commission are doing enough to control how INTERPOL systems are being used.

Of course, the Commission is working to address the challenges that we have identified, understanding that we live in a world of finite resources, that priorities need to be set, and that the core work of the Commission, including deciding on individual requests, is the highest priority.

One of the Commission's first desires for this upcoming year is to increase the understanding of its work, and establish better modes of cooperation, with various stakeholders. For example, the Commission wants to further look at the difficult issues that often arise relating to an applicant's

request for access to data and disclosure of certain information to an applicant during the Commission's examination of a deletion request.

As part of our further efforts to improve communication between the Commission and NCBs, we wish to suggest that NCBs consider, where possible, having a specified point of contact to work with the Commission when we have questions. We think having a specified point of contact who has some experience in dealing with the Commission would increase efficiency for both the NCB and the Commission.

The Commission also wishes to continue its work on improving the information available to the public and the applicants. We previously created new tools for them, such as a Frequently Asked Questions (FAQ) document for applicants. We hope in the future, resources permitting, to increase our direct communication with civil society, including those who are concerned with INTERPOL and the Commission's work.

We want in the future to have increased transparency about the Commission's work, balanced of course with respect for confidentiality. For example, we hope to have more anonymized decisions available on the website.

We also wish, as part of enhancing transparency, to examine whether we can provide more generalized information about the Commission's cases, such as additional statistical information.

Finally, as also discussed with the INTERPOL Secretary-General and the INTERPOL Executive Committee, we believe the Commission and INTERPOL need to continue to evaluate and discuss how to ensure that the Commission is well positioned to perform its work – work that is essential for INTERPOL's continued success.

On behalf of the Commission, we thank you for your attention and for your continued support for our work in furtherance of our shared goals.
