



## ELECTIONS FOR MEMBERS OF THE COMMISSION FOR THE CONTROL OF INTERPOL'S FILES

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### 1. BACKGROUND INFORMATION

The Commission for the Control of INTERPOL's Files (CCF or Commission) is a statutory body of the Organization, competent to perform the functions conferred on it by Article 36 of the Constitution, namely to:

- (a) Ensure that the processing of personal data by the Organization is in compliance with INTERPOL's rules;
- (b) Provide the Organization with advice about any project, operation, set of rules or other matter involving the processing of personal data in the INTERPOL Information System;
- (c) Examine and decide on requests for access to data, and/or for the correction or deletion of data, processed in the INTERPOL Information System.

According to Article 37 of the Constitution, the composition and the functioning of the CCF is subject to specific rules to be laid down by the General Assembly. These specific rules are contained in the Statute of the Commission for the Control of INTERPOL's Files adopted by the General Assembly during its 85th session, in Bali, Indonesia, 7-10 November 2016.

According to Article 8 of the Statute of the CCF, the General Assembly shall elect CCF members from among persons of high moral character, impartiality and integrity who possess the qualifications required for appointment to senior positions in their field of expertise.

Article 9 of the Statute of the CCF governs the procedure to elect members of the CCF by the General Assembly.

All relevant provisions of the Statute of the CCF are provided in [Appendix 1](#).

### 2. LIST OF VACANT POSITIONS

The following seven positions are due to be filled at the next session of the General Assembly:

- **For the Supervisory and Advisory Chamber: 2 positions**
  - Expert in data protection

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- Expert in electronic data processing
- **For the Requests Chamber: 5 positions**
  - Lawyer with data protection expertise
  - Lawyer with recognized international experience in police matters, in particular international cooperation
  - Lawyer with international criminal law expertise
  - Lawyer with human rights expertise
  - Lawyer who holds or has held a senior judicial or prosecutorial position, preferably with experience in international judicial cooperation.

Since the terms of office of the current incumbents ([Appendix 2](#)) are set to expire on 10 March 2022, the General Assembly shall proceed to the election of the seven positions mentioned above.

### **3. TERMS OF OFFICE**

The terms of office of the above-mentioned positions shall be five years, renewable once for an additional term of three years.

The terms of office of the new members of the CCF shall begin on 11 March 2022.

For all the above-mentioned positions, in case the current CCF members who hold those positions are re-elected by the General Assembly, their term of office shall be three years (non-renewable).

For the specific position of Expert in data protection, the current member who holds this position cannot be re-elected since he was member of the CCF before the entry into force of the Statute in 2016. Therefore, and pursuant to Article 10(2)(d) of the Statute, he was elected in 2016 for one non-renewable term.

### **4. CANDIDATES' PROFILE**

#### **4.1 General requirements for all positions to be filled**

The qualifications required for the above-mentioned positions are as follows:

1. The candidate must be a national of one of the Member Countries.
2. The candidate must be a person of high moral character, impartiality and integrity.
3. The candidate must be fluent in written and spoken English as English is the working language of the CCF for processing internal files (Rule 14 of the Operating Rules of the CCF). Fluency in any other working language of the Organization (Arabic, French, Spanish) is an asset.
4. The candidate must be proficient in using IT applications (mainly Office applications).
5. The candidate must possess a minimum of 15 years of experience in the relevant field of the position.

## 4.2 Specific requirements for each position to be filled

### **Position of Expert in data protection**

6. The candidate must possess the qualifications required for appointment to senior positions in the field of data protection/privacy/compliance control. The ideal candidate would be a data protection expert/adviser/controller with the following experience and expertise:
  - Experience in legal analysis and control of conformity of data to applicable rules (for example, within a national data protection authority, or other supervisory body);
  - Experience in the police/justice sector and familiarity with exceptions to data subjects' rights under sector-specific data protection frameworks.
  - Experience with state-of-the-art technology and current or emerging data protection issues, such as biometrics, big data/data lakes, open source information, cloud-based solutions, etc.

### **Position of Expert in electronic data processing**

7. The candidate must possess the qualifications required for appointment to senior positions in the field of electronic data processing. The ideal candidate would be an information technology expert/adviser/controller with the following experience and expertise:
  - Experience with practical use of state-of-the-art information and communication technology solutions;
  - Experience in legal analysis and control of conformity of data to applicable rules (for example, a National Data Protection Agency, or other supervisory body);
  - Development/identification and analysis of IT Tools for Security and protection of personal data.

### **Position of Lawyer with data protection expertise**

8. The candidate must possess the qualifications required for appointment to senior positions in the field of data protection. The ideal candidate would be a lawyer (for example member of the bar, law professor, legal adviser, judge) and have expertise in data protection law / privacy rights, in particular in the context of the police/justice/national security sectors. Such expertise may have been acquired, for example, as member of a national data protection authority / privacy commissioner, as senior adviser on data protection, as law professor, or as lawyer, prosecutor or judge dealing with data protection issues. Specific knowledge of the most recent developments relating to international and regional data protection legal frameworks, as well as related jurisprudence, would be an asset.

### **Lawyer with recognized international experience in police matter**

9. The candidate must possess the qualifications required for appointment to senior positions in the police field, preferably with an established international experience. The ideal candidate would be a lawyer (for example member of the bar, law professor, legal adviser) and have expertise in police matters, especially in relation to international police cooperation. Such expertise may have been acquired, for example, as high-ranking member of a national police unit participating in cooperation channels (INTERPOL and/or other regional or specialized bodies), as member of national diplomatic corps involved in police/security issues, or as senior adviser on international police cooperation. Specific knowledge of international/regional legal instruments relating to cooperation in criminal matters would be an asset.

**Lawyer with international criminal law expertise**

10. The candidate must possess the qualifications required for appointment to senior positions in the field of international criminal law, preferably with adjudicative experience (serving in a judicial or quasi-judicial position, litigating international criminal law cases). The ideal candidate would be a lawyer (for example member of the bar, law professor, legal adviser) and have expertise in international criminal law and compared criminal law. Such expertise may have been acquired, for example, as senior adviser on international criminal law, as member of an international criminal tribunal, or as lawyer, judge or prosecutor dealing with international/transnational criminal cases. For the purpose of this position, the candidate's experience must surpass working occasionally on aspects related to international criminal law. In addition, activities, lectures or publications of the candidates in the field of criminal law would be relevant in assessing their expertise.

**Lawyer with human rights expertise**

11. The candidate must possess the qualifications required for appointment to senior positions in the field of human rights, preferably with adjudicative experience (serving in a judicial or quasi-judicial position, as member of a human rights committee, litigating human rights cases). The ideal candidate would be a lawyer (for example member of the bar, law professor, legal adviser) and have expertise in human rights, in particular international human rights. Such expertise may have been acquired, for example, as senior adviser on human rights, as law professor, or as lawyer, prosecutor or judge dealing with human rights cases. For the purpose of this position, the candidate's experience must surpass working occasionally on aspects related to human rights. In addition, activities, lectures or publications of the candidates in the field of human rights would be relevant in assessing their expertise.

**Lawyer who holds or has held a senior judicial or prosecutorial position**

12. The ideal candidate must be a lawyer (for example member of the bar, law professor, legal adviser), and must hold or have held a position of senior judge or prosecutor (national and/or international). The reference to experience in international judicial cooperation concerns experience in handling requests for extradition, mutual legal assistance or other forms of cooperation in criminal matters. In addition, activities, lectures or publications of the candidates in the field of international cooperation in criminal matters would be relevant in assessing their expertise.

**5. OBLIGATIONS OF THE CCF MEMBERS**

13. Once elected, the members shall serve in their personal capacity, and not as representatives of their respective governments.
14. In the event an NCB official - or an official in a supervisory position over the NCB - is elected, he or she must, prior to taking up his or her duties on the 11 March 2022, suspend his or her position within the national administration, for the duration of his or her term of office as CCF member.
15. In the exercise of their functions, the members of the Commission shall be independent, remain free from external influence, whether direct or indirect, and neither solicit nor accept instructions from any person, body or government.
16. Members of the Commission shall abstain from any action or activity likely to interfere with the exercise of their functions or affect confidence in their independence.

17. Members of the Commission shall not, in accordance with the Operating Rules of the CCF, participate in INTERPOL's official meetings and/or conferences as delegates appointed by their countries. However, they may participate in such meetings as CCF members representing the CCF, subject to the prior approval of the CCF Chairperson and/or a decision of the CCF taken by a majority of the members present and voting (Rule 1 of the Operating Rules of the CCF).

## **6. SCOPE OF WORK OF THE CCF MEMBERS**

Members of the Commission shall make themselves available for the performance of their office in the Commission.

Subject to special arrangements for CCF sessions by virtual means in the context of the current global health pandemic, Members of the Commission are generally expected to travel four to five times a year to the Organization's Headquarters in Lyon, France, in order to take part in the sessions of the CCF. Members of the Commission also contribute regularly to the work of the Commission in-between sessions.

## **7. REMUNERATION OF THE CCF MEMBERS AND COSTS INCURRED**

All costs incurred by the CCF members are borne directly by the Organization. Therefore, the exercise of their duties bears no cost to the Member Countries that have nominated them.

Remuneration of the CCF members shall be determined by the General Assembly pursuant to Article 13 of the Statute of the CCF.

Remuneration will consist of a yearly stipend and associated expenses.

## **8. APPLICATIONS**

Members Countries may propose one candidate per post.

Each application must be accompanied by:

- A curriculum vitae addressing the qualifications required for the position as set out above in the "Candidates' profile";
- A copy of a valid passport showing the candidate's nationality and date of birth;
- A certificate issued by the relevant National Central Bureau, attesting that the candidate is a national of that country and does not have any criminal record; and
- A statement prepared by the applicant describing his or her qualifications for and interest in the position. The statement should not exceed five pages. The statement must be submitted in English as the working language selected by the Commission for the processing of its internal files (Rule 14 of the Operating Rules of the CCF).

All documents may be submitted in one of the Organization's working languages (Arabic, English, French and Spanish), except for the statement which must be submitted in English.

Member Countries may propose the application of the same candidate for different vacancies provided the candidate meets the requirements for each of the vacancies that are applied for.

Member Countries may also submit applications of current members of the CCF. If re-elected, the member of the CCF will serve a non-renewable term of three years in accordance with the provisions of Article 10 of the CCF Statute, except for the member holding the position of Expert in data protection who cannot be re-elected (please see last paragraph of point 3 above) .

## **9. SUBMISSION OF APPLICATIONS**

Applications must be sent via the INTERPOL National Central Bureau of the Country of the candidate. Applications may not be submitted directly by the candidates themselves.

Applications may be sent, either through the INTERPOL telecommunication system or by post, in a sealed envelope, to the following address:

International Criminal Police Organization-INTERPOL  
General Secretariat  
Selection of candidates to the CCF  
200 Quai Charles de Gaulle  
69006 - Lyon  
FRANCE

## **10. CLOSING DATE**

Applications must be received by the General Secretariat by 15 June 2021 at the latest.

## **11. SELECTION PROCESS**

The General Assembly shall elect the new CCF members at its next ordinary session (Istanbul, Turkey, 23 - 25 November 2021). The Executive Committee, pursuant to Article 9(4) of the Statute of the CCF, shall prepare a list of all eligible candidates who possess the required qualifications, and submit the list to the General Assembly. The Executive Committee will review all applications to determine the candidates' eligibility and may decide to hold interviews via remote means before submitting the list to the General Assembly.

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## **RELEVANT PROVISIONS OF THE STATUTE OF THE CCF**

### **Article 3**

#### **Competence and powers of the Commission**

- (1) The Commission shall be competent to perform the functions conferred on it by Article 36 of the Constitution, namely:
  - (a) Ensure that the processing of personal data by the Organization is in compliance with INTERPOL's rules;
  - (b) Provide the Organization with advice about any project, operation, set of rules or other matter involving the processing of personal data in the INTERPOL Information System;
  - (c) Examine and decide on requests for access to data, and/or for the correction or deletion of data, processed in the INTERPOL Information System.
- (2) To perform its functions, the Commission shall have:
  - (a) full access to the INTERPOL Information System in accordance with Article 19 of the present Statute;
  - (b) the power, as provided for in Article 26 of the present Statute, to carry out the necessary checks and to take decisions binding on the Organization and give opinions concerning the processing of personal data in the INTERPOL Information System;
  - (c) the exclusive power, as provided for in Article 28 of the present Statute, to examine and take decisions that are final and binding with regard to requests for access to, or correction and/or deletion of, data processed in the INTERPOL Information System.

### **Article 4**

#### **Independence of the Commission**

The Commission shall be independent in the performance of its functions.

### **Article 5**

#### **Cooperation of the Members of the Organization**

The Members of the Organization shall:

- (1) respect the competence and independence of the Commission;
- (2) respond diligently to requests from the Commission in accordance with their national laws;
- (3) to the extent permitted by their national laws, ensure that no national authority within their territories interferes in the Commission's work or attempts to take decisions directed at the Organization in matters falling within the Commission's competence.

**CHAPTER 2:**  
**ORGANIZATION OF THE COMMISSION**

**SUB-CHAPTER 1:**  
**STRUCTURE AND COMPOSITION OF THE COMMISSION**

**Article 6**  
**Structure**

- (1) The Commission shall consist of two chambers:
  - (a) A Supervisory and Advisory Chamber, which shall have the power to perform the functions described in Article 3(1)(a) and (b) of the present Statute;
  - (b) A Requests Chamber, which shall have the power to perform the function described in Article 3(1)(c) of the present Statute.
- (2) The members of each Chamber of the Commission may consult and/or participate as non-voting members in the work and deliberations of the other Chamber.

**Article 7**  
**Chairperson**

- (1) The Chairperson shall preside over both Chambers of the Commission, direct their work, and supervise the administration of the Commission and the work of its Secretariat.
- (2) The Chairperson shall be elected by all the members of the Commission from among the members of the Requests Chamber.

**Article 8**  
**Composition**

- (1) The Commission shall be composed of seven members, elected from among persons of high moral character, impartiality and integrity who possess the qualifications required for appointment to senior positions in their field of expertise.
- (2) The members of the Commission shall be nationals of the Organization's Members, be of different nationalities, and be fluent at least in one of the working languages of the Organization. As far as possible, the members of the Requests Chamber should represent the principal legal systems of the world.
- (3) The Supervisory and Advisory Chamber shall consist of the Chairperson, a member with expertise in data protection, and a member with expertise in electronic data processing.
- (4) The Requests Chamber shall consist of five members:
  - (a) A lawyer with data-protection expertise;
  - (b) A lawyer with recognized international experience in police matters, in particular international police cooperation;
  - (c) A lawyer with international criminal law expertise;
  - (d) A lawyer with human rights expertise;
  - (e) A lawyer who holds or has held a senior judicial or prosecutorial position, preferably with experience in international judicial cooperation.



**SUB-CHAPTER 2:**  
**MEMBERS OF THE COMMISSION**

**Article 9**  
**Election**

- (1) The members of the Commission shall be elected by the General Assembly.
- (2) Whenever necessary, the Secretary General shall address a written request to the Organization's Members inviting them to nominate, within a given time, persons with the required qualifications and expertise to perform the duties of a member of the Commission. Each Member may propose one candidate per post.
- (3) Every nomination shall be accompanied by a statement specifying the candidate's qualifications for the position.
- (4) The Executive Committee shall prepare a list of all eligible candidates who possess the required qualifications, with the accompanying documents, and submit that list to the General Assembly.
- (5) The General Assembly shall elect the members of the Commission by secret ballot in accordance with the Rules of Procedure of the General Assembly. Those candidates who obtain a simple majority of votes shall be considered as elected. Depending on his or her experience, a person may be candidate for several vacant posts.

**Article 10**  
**Terms of office**

- (1) The terms of office of the members of the Commission shall be five years, renewable once for an additional term of three years.
- (2) For the purposes of the first election under the present Statute:
  - (a) one of the members of the Supervisory and Advisory Chamber shall be selected by lot to serve for a term of four years;
  - (b) two of the members of the Requests Chamber shall be selected by lot to serve for a term of four years;
  - (c) the other members shall serve for a term of five years;
  - (d) the current members of the Commission may be elected for one non-renewable term.
- (3) If a member of the Commission is no longer able to perform his/her functions, or has resigned, a new member shall be elected for the remainder of his/her predecessor's term of office. The new member may subsequently be re-elected for one non-renewable term of three years. A temporary replacement may be appointed by the Executive Committee to serve until the next General Assembly session.

### **Article 11** **Independence**

- (1) The members of the Commission shall serve in their personal capacity.
- (2) In the exercise of their functions, the members of the Commission shall be independent, remain free from external influence, whether direct or indirect, and neither solicit nor accept instructions from any person, body or government.
- (3) Members of the Commission shall abstain from any action or activity likely to interfere with the exercise of their functions or to affect confidence in their independence.
- (4) The Organization and its Members shall abstain from any action which might influence the members of the Commission or its Secretariat, or be prejudicial to the discharge of their functions.
- (5) The Chairperson of the Commission shall ensure that the rules on the independence of the Commission and its members are respected.

### **Article 12** **Impartiality**

- (1) A member of the Commission shall not participate in any case in which his/her impartiality might reasonably be doubted.
- (2) The Commission's Operating Rules shall set out the criteria and procedures regarding the application of this Article.

### **Article 13** **Remuneration**

The General Assembly shall decide on the remuneration of the members of the Commission. Such remuneration shall not be reduced during their terms of office.

### **Article 14** **Dismissal and temporary suspension from office**

- (1) A member of the Commission may be dismissed only by the General Assembly in the following instances:
  - (a) on the proposal of the Commission in the event of the member's misconduct or incapacity;
  - (b) on the proposal of the Executive Committee and after consulting the Commission in the event of the member's repeated or serious misconduct.
- (2) In urgent cases, the Executive Committee may, after consulting the Commission, temporarily suspend a member until the next session of the General Assembly, in the event of his/her misconduct or incapacity.

## **RELEVANT PROVISIONS OF THE OPERATING RULES OF THE CCF**

### **Rule 1: Incompatible activities**

- (1) In accordance with Article 11(1) and (2) of the Statute, the members of the Commission shall serve in their personal capacity and represent neither their administration, nor the NCB of their country, nor their country, nor any other entity.
- (2) In accordance with Article 4, Article 11(3) and (4), and Article 12 of the Statute, the members of the Commission shall not, during their term of office, engage in any action or activity which may appear to be incompatible with their independence or impartiality, in accordance with the present Rules. They shall take all appropriate measures to ensure respect of the independence and impartiality of their function and of the Commission. In particular, they shall take all necessary measures to ensure that they do not have, or are not seen by a reasonable observer as having, a conflict of interest.
- (3) The members of the Commission shall not participate in INTERPOL's official meetings and/or INTERPOL's conference as delegates appointed by their countries. However, subject to the prior approval of the Chairperson and/or a decision of the Commission taken by a majority of the members present and voting, they may participate in such meetings as Commission members representing the Commission.
- (4) In accordance with Article 11(5) of the Statute, each member shall communicate to the Chairperson any concern regarding his/her independence and/or impartiality.
- (5) In the event of a disagreement between the Chairperson and the member concerned, the Commission shall decide on any question arising.

### **Rule 14: Working languages**

- (1) The working languages of the Commission shall be those of the Organization, namely Arabic, English, French and Spanish.
- (2) In accordance with Article 18(2) of the Statute, the working language selected by the Commission for the processing of its internal files is English.
- (3) Interpretation in Arabic, English, French and Spanish may be provided during the sessions of the Commission.

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## **CURRENT COMPOSITION OF THE COMMISSION FOR THE CONTROL OF INTERPOL'S FILES**

The current members of the CCF are:

### **Chairperson**

- Vitalie Pirlog, (Moldova) – Chairperson, Lawyer with data protection expertise

### **Supervisory and Advisory Chamber**

- Jean Frayssinet (France) – Expert in data protection
- Rabah Mira (Algeria) – Expert in electronic data processing

### **Requests Chamber**

- Vitalie Pirlog (Moldova) – Chairperson, Lawyer with data protection expertise
- Isaias Trindade (Angola) – Lawyer with recognized international experience in police matters, in particular international police cooperation
- Petr Gorodov (Russia) – Lawyer with international criminal law expertise
- Teresa McHenry (United States of America) – Lawyer with human rights expertise
- Sanna Palo (Finland) – Vice Chairperson, Lawyer who holds or has held a senior judicial or prosecutorial position

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