



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

Commission for the Control of INTERPOL's Files

Comisión de Control de los Ficheros de la OIPC-INTERPOL

لجنة الرقابة على محفوظات المنظمة الدولية للشرطة الجنائية (الإنترپول)

INTERPOL's Independent Authority for the Control and Protection of Personal Data

ACTIVITY REPORT OF THE COMMISSION FOR THE CONTROL OF INTERPOL'S FILES FOR 2023

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CONTENTS	Page
EXECUTIVE SUMMARY	3
I. THE CCF, INTERPOL'S INDEPENDENT ORGAN	3
II. LEGAL FRAMEWORK	4
III. GUIDING PRINCIPLES	4
IV. POWERS AND LIMITS OF FIELD OF COMPETENCE.....	5
V. CHALLENGES AND ACCOMPLISHMENTS.....	5
A. Increased workload and complexity.....	5
B. Security and integrity of the process	6
C. Measures introduced in 2023.....	6
VI. NEXT OBJECTIVES	7
VII. LIST OF APPENDICES	8
APPENDIX 1: STATISTICS REFLECTING THE CCF's WORK IN 2023	9
A. The CCF in general	9
B. The Supervisory and Advisory Chamber	9
C. The requests Chamber.....	9
(a) New requests received in 2023	9
(b) Requests closed in 2023	13
(c) Timelines	15
APPENDIX 2: STANDARD STEPS FOR THE PROCESSING OF REQUESTS.....	17

EXECUTIVE SUMMARY

1. This report presents the Annual Report for the Commission for the Control of INTERPOL's Files (CCF). The report focuses on the CCF's work in 2023, and all the statistics in the Appendix are from 2023. The report also refers to certain relevant information concerning activities in 2024.
2. In 2023, the CCF received 2,793 requests and closed 2,238 requests. The number of requests received and the number of requests closed are the highest numbers ever encountered by the CCF, representing a 70 per cent increase in requests from 2021 and a 24 per cent increase from 2022. The CCF also provided advice and oversight on over a dozen INTERPOL projects, including draft cooperation agreements, new databases, and new technical developments, including large data sets or artificial intelligence. Despite the complexity of the cases and projects and the high volume of the work, the CCF worked to ensure its decisions and opinions were appropriately reasoned and explained.
3. The CCF continued with its efforts to increase transparency through publicizing various policies, the provision of anonymized decisions, and additional engagement with stakeholders. In 2023 (continuing into 2024), the CCF also expended resources in detecting and taking measures to address an international scheme that sought to have Red Notices deleted through a corrupt scheme involving the provision of fraudulent documents.
4. In 2023 (and continuing in 2024), the CCF also spent significant resources engaging with other bodies within INTERPOL regarding a potential review of the CCF Statute to consider potential amendments. The CCF anticipates significant further work on these issues.
5. The limited resources of the CCF as compared to the increase in requests made by applicants, as well as the need in many cases to obtain further information from NCBs, applicants, and the General Secretariat before resolving requests, resulted in significantly increased delays in the time period within which the CCF resolved access requests and requests for correction and/or deletion (hereafter referred to as complaints). To address the serious delay problems, the CCF has been assiduously working to obtain additional resources and better technological tools. The CCF has also streamlined its internal procedures and adjusted priorities.
6. The CCF will continue to work to integrate requested additional staff and technological tools as part of its efforts to address the problem of delays so that it can appropriately fulfil its duties to the best of its ability.
7. Through its work and the resolution of an unprecedented large number of cases, the CCF continues to perform its functions, including serving as an effective remedy for applicants and ensuring that INTERPOL's rules are respected.

I. THE CCF, INTERPOL'S INDEPENDENT ORGAN

8. The CCF is an independent and impartial body within INTERPOL, established by Article 5 of INTERPOL's Constitution. It ensures the processing of personal data for police purposes complies with INTERPOL's rules, particularly fundamental human rights.
9. The CCF comprises seven members and consists of two Chambers, the Supervisory and Advisory Chamber and the Requests Chamber. They perform three main functions of supervision, advice, and processing of requests for access, correction, and/or deletion of data from individual members of the public. Both Chambers are complementary and work collectively to ensure the CCF can fulfil its functions.
10. The CCF members are elected by the General Assembly for a five-year term, renewable once for an additional three years. Members are independent and serve in their personal capacity.
11. The CCF consists of the following members, all of whom were first elected in November 2021 and whose five-year terms began in March of 2022.
 - (a) For the Supervisory and Advisory Chamber:
 - Ms Teresa McHenry (United States), Chairperson, and lawyer with international criminal law expertise;
 - Mr Yves Pouillet (Belgium), Rapporteur, and expert in data protection;
 - Mr Mohamed Elfadhel Miled (Tunisia), expert in electronic data processing.

(b) For the Requests Chamber:

- Ms Teresa McHenry (United States), Chairperson, and lawyer with international criminal law expertise;
- Mr Mohamed Kamara (Lebanon), Vice-Chairperson, and lawyer with recognized international experience in police matters, in particular international police cooperation;
- Mr Hamza Es-Said (Morocco), Rapporteur, and lawyer who holds or has held a senior judicial or prosecutorial position;
- Ms Susie Alegre (United Kingdom), lawyer with data protection expertise;
- Mr Michel Forst (France), lawyer with human rights expertise.

12. To perform its duties, the CCF is supported by a dedicated Secretariat, which is a permanent body (while its members work on a part-time basis for the CCF). It acts under the authority of the CCF and is based in INTERPOL's headquarters in Lyon (France). The staff of the Secretariat is selected by the CCF.

13. The CCF members and its Secretariat have varied expertise that reflects the fields of expertise required for the processing of personal data by INTERPOL to ensure that the Organization operates within the spirit of the Universal Declaration of Human Rights, takes into account the Organization's neutrality, and respects the laws of member countries.

14. The working language of the CCF is English, and its documents and conclusions are drafted in English. However, the CCF Secretariat can work in the four INTERPOL working languages (Arabic, English, French and Spanish) and communicate with the Organization, the applicants, and the NCBs in these four languages.

II. LEGAL FRAMEWORK

15. The CCF is governed by its Statute, which was adopted by the INTERPOL General Assembly in 2016 and entered into force in 2017.

16. It operates within the legal framework also defined by Articles 36 and 37 of INTERPOL's Constitution, the CCF Operating Rules, its internal guidelines, INTERPOL's rules (including INTERPOL's Rules on the Processing of Data), INTERPOL General Assembly Resolutions, and other INTERPOL texts relating to the implementation of the legal framework set out in those documents. It also functions under the guidelines set by relevant international legal standards.

III. GUIDING PRINCIPLES

17. In 2023, the CCF continued to operate according to its guiding principles, particularly the following ones:

- Independence and impartiality - Ensuring respect for its independence and impartiality remains key. For instance, its members systematically withdraw from considering a request if there could be a conflict or perceived conflict of interest, and they cannot access the files from which they withdrew nor the concerned CCF conclusions.
- Security and confidentiality - The CCF's files are confidential and are not recorded in the INTERPOL Information System. The essential principles of confidentiality and security are reflected in the CCF's day-to-day standards and practice: if or when information from a party (be it an Applicant or an NCB) has specifically been identified as confidential, it will not be communicated to the other party (see Article 35 of the CCF Statute which provides more information concerning how restricted information is handled). A dedicated platform available only to the CCF provides members with the necessary documents in complete security and management of access rights; the CCF follows strict internal guidelines concerning the handling of CCF tools, files, and documents.

The above-mentioned principles of independence, impartiality, security, and confidentiality are also reflected in a formal declaration signed by the members of the CCF and its Secretariat.

- Efficiency, anticipation, and innovation - The CCF members and Secretariat are dedicated to ensuring that the CCF operates to the best of its ability, considering evolving challenges and increasing complexities. The CCF has continued to work on strengthening its Secretariat, modernizing its tools, and developing its procedures and its decision-making process.
- Transparency and support - Despite limited resources, the CCF has worked to increase transparency, including participating in various internal and external meetings, and has augmented the information available on its website.

18. The implementation of these principles is further reflected in the CCF's challenges and achievements described in the following sections.

IV. POWERS AND LIMITS OF FIELD OF COMPETENCE

19. As defined in its Statute, the CCF has the following main powers:

- Decision-making - Both Chambers can issue binding and reasoned decisions communicated to the parties involved. The binding effect of its decisions on requests contributes to offering an effective remedy to the applicants. The CCF ensures the implementation of its decisions. The number of decisions taken in 2023 reflects the CCF workload. For example, as explained in paragraphs 6 and 23.2 of Appendix 1, the CCF took 13 decisions on INTERPOL's projects involving the processing of personal data, and it took decisions in 500 admissible complaints of individuals subject to data registered in INTERPOL's files.
- Advisory capacity - The CCF can also issue opinions and recommendations on new rules and operating procedures, new technical projects, and cooperation agreements involving the processing of personal data. Although these are not binding, the CCF follows up on these conclusions, working closely with the departments within the INTERPOL General Secretariat responsible for the development of these projects. In case of persisting disagreements with the General Secretariat on its opinions and recommendations, the CCF may inform the Executive Committee, as provided for by Article 27(5) of its Statute, but did not need to do so in 2023.
- Supervisory authority - In this capacity, the CCF regularly conducts spot checks, aimed at identifying potential sources of risks (structural or systematic violations of rules) and remedying them. As a result of these controls, the CCF can also make binding decisions, opinions, and recommendations.
- Stakeholder engagement - The CCF engages with internal and external stakeholders and works to help build capacity internally and externally.

20. The role of the CCF is limited to issues related to the processing of data in the INTERPOL Information System. It regularly recalls that it is not empowered to investigate, to weigh evidence, to make general assessments about a country's judicial system or overall human rights situations, to make factual determinations on the guilt or innocence of a person in a criminal case, or to evaluate national court decisions. It also cannot address requests for access to national files.

V. CHALLENGES AND ACCOMPLISHMENTS

A. Increased workload and complexity

21. The biggest challenge facing the CCF in 2023 was the increased workload and limitations on the resources to deal with it. The challenges are increased also because the topics considered by the CCF are diverse, sensitive, and complex, requiring specific legal and technical expertise. Given the stakes involved and the statutory deadlines, processing requests is of the highest priority. The priority given to requests has a detrimental impact on other CCF activities. In 2023 and thereafter, the CCF has continued to request resources, including additional personnel for the Secretariat, better technological tools, and

increased compensation for the work done by members, including work done outside of the sessions. Starting in 2023, some additional resources were granted. The CCF will be working to integrate new resources as it obtains them, monitor their impact on the CCF's ability to fulfil its functions, and evaluate whether further resources are needed.

22. As detailed in Appendix 1, the CCF deals with a high volume of requests. Many raise difficult issues requiring examination of the political context of a case, as well as questions regarding interpretation of INTERPOL rules, international law, and the Universal Declaration of Human Rights:

- Increasingly, processing of requests is a protracted cycle of access requests, followed by a complaint, and a subsequent application for revision.
- Restrictions on the communication of information by one party to the other are frequent and resource intensive for the CCF, which must often engage in exchanges regarding justifications and then weigh them with the principle of access to the information related to a request and the statutory obligation to communicate reasoned decisions to the parties. Approximately 60 per cent of NCBs and 20 per cent of applicants request restrictions.
- The CCF is experiencing a significant increase in email volume, estimated to average approximately 100 messages per day in 2023. Some of these emails frequently include multiple attachments that require additional security protocols for opening. Some emails are from applicants or NCBs inquiring about the status of a particular request (and the delays in resolving requests and responding to inquiries may result in multiple exchanges); responding to such emails can present additional burdens on the CCF, which in turn can impact the resources available to resolve substantive inquiries.

23. The INTERPOL projects studied by the CCF continue to raise increasingly complex security and data protection issues. This is particularly applicable when they involve the processing of large data sets, artificial intelligence, or sensitive matters such as child sexual abuse material. This is also true for draft cooperation agreements that must adhere to binding rules and obligations on the parties, which can sometimes be challenging to reconcile.

B. Security and integrity of the process

24. The CCF works to proactively prevent and identify abuses of process before the CCF. The CCF uses a variety of safeguards to detect such misconduct. In 2023 and 2024, the CCF identified potential irregularities committed by some applicants and some NCBs. It has taken tailored, exceptional measures on a case-by-case basis to effectively address each possible attempt to misuse the CCF process and to keep stakeholders informed.

25. The CCF has followed up on potential security incidents reported by the General Secretariat. The INTERPOL Data Protection Officer has also provided support and kept the CCF informed in a case of a data breach at the national level that could have impacted its information (the CCF's files were not affected by this data breach).

C. Measures introduced in 2023

26. So that the CCF can best fulfil its mission and to handle the growing volume and complexity of its work for its Secretariat and for members, a series of measures was introduced in 2023:

- 26.1 The CCF Secretariat expanded its team by three persons and now comprises 18 staff members, with varied expertise to fulfil its mandate, as required by Article 15 of the CCF Statute. Jointly with the General Secretariat, it has continued working on the development of new digital tools, with deployment commencing in 2024. Further decisions and implementation of additional requests for personnel and tools are pending.
- 26.2 The CCF organized four five-day sessions at INTERPOL's headquarters in Lyon, France, and additional virtual meetings among its members and its Secretariat to enable regular exchanges on the activities of the CCF, its challenges, its priorities, the evolution of requests and needs to perform its functions as effectively as possible. During each of its sessions, it organized several meetings with different General Secretariat units. It maintained a solid decision-making process, with increased exchanges between members and staff:

- Per session, the CCF has generally taken decisions on approximately 60 to 80 complaints, as well as examining projects, spot checks, and various legal, procedural, or strategic issues. In advance of the sessions, significant preparatory work on projects, legal or procedural topics, and cases is done by the Secretariat and by the Members.
- The CCF has regularly updated the delegation of power given to its Rapporteurs to take decisions throughout the year and to meet evolving needs. It was able to draw conclusions involving either the Supervisory and Advisory Chamber (such as conclusions on projects), the Requests Chamber (on requests and on legal issues related to the implementation of INTERPOL's rules), or both Chambers (decisions on budget needs and outreach activities). For example, and as set out in Appendix 1, in 2023, the CCF was able to work and make decisions on 500 cases and on various projects. In addition to final decisions on requests, the CCF frequently needs to make interim decisions on cases, such as whether data should be temporarily blocked pending a full review of the case.

26.3 As stated in the introduction to this report, the CCF has also been discussing with other bodies within INTERPOL issues related to a review of its Statute and potential amendments.

26.4 The CCF has continued to examine and update policies and procedures. This includes the examination of particularly complex and sensitive cases and issues, such as those involving the implementation of INTERPOL's rules regarding applicants who are refugees or asylum seekers and changes made in 2017 by INTERPOL on the policies regarding such persons.

27. Transparency initiatives - The CCF has continued to work to improve transparency, a key focus area:

- It actively participated in INTERPOL's meetings relevant to the CCF's work: meetings of the Executive Committee and the General Assembly, the annual Heads of NCB conference, meetings of the Working Group on Governance, the Committee on the Processing of Data, and advisory groups such as on Notices and Diffusions.
- It has continued to update its website (for example by explaining its policy on pre-emptive requests) and to develop guidelines, templates, e-learning modules, and other materials for the NCBs, law enforcement officials, the applicants, and their lawyers. While its decisions are confidential, the CCF has published new anonymized decisions on its website.
- It has also contributed to the induction program of new INTERPOL officials.
- Despite a desire to engage with legal practitioners and civil society even further, resource constraints currently limit its ability to do so. However, the CCF has had some engagement with civil society, addressed various media requests, and participated in workshops or online webinars.

28. CCF Code of Conduct - As the independent oversight body for INTERPOL's processing of personal data, the CCF ensures compliance with INTERPOL's applicable rules. Its members must adhere to the highest ethical standards, neutrality, and fairness, and for their conduct, both professionally and personally, to reflect the principles guiding their work in the CCF. The CCF has long had several existing ethical standards set out in its Statute, Operating Rules, and practices. Starting in 2023, the CCF has been working to finalize the consolidation of key standards into a single Code of Conduct and add new provisions as appropriate.

VI. NEXT OBJECTIVES

29. Adherence to its statutory mandate will continue to drive the CCF's work, risk management, and priority-setting in the future:

- The CCF will actively seek needed increases and optimization of existing resources, while ensuring they remain aligned with changing needs. In addition to new staffing requests, the CCF will continue working with the General Secretariat on the development of additional technical tools.

- With available resources, it will prioritize delivering prompt, pertinent advice, oversight, and determinations on requests and on projects. As resources permit, it will seek to also enhance transparency, develop new training resources, and expand outreach and engagement with civil society, media, and NGOs.

30. After completing its Code of Conduct in 2024 and publishing it on its website, the CCF will monitor its implementation and examine whether further rules or practices would be helpful. The CCF may also examine whether further rules or practices for the conduct of NCBs and applicants would be useful.

31. Finally, and as previously indicated, the CCF will be actively engaged in the review of its Statute.

Further information about the CCF can be found on the website:

<https://www.interpol.int/en/Who-we-are/Commission-for-the-Control-of-INTERPOL-s-Files-CCF/About-the-CCF>

VII. LIST OF APPENDICES

- Appendix 1: Statistics reflecting the CCF's work in 2023
- Appendix 2: Standard steps for the processing of requests

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APPENDIX 1: STATISTICS REFLECTING THE CCF's WORK IN 2023

A. The CCF in general

1. All members of the CCF met four times in Lyon for five-day sessions, for a total of 20 days.
2. In addition, they met either all together or partially together as required, during virtual meetings.
3. The Rapporteurs of the CCF, its Vice Chairperson, and in particular its Chairperson also had additional meetings on a regular basis. The Rapporteur of the Requests Chamber communicated with the Secretariat on a weekly basis and the Chairperson even more often.
4. The CCF engaged with other stakeholders, from within INTERPOL to civil society. This resulted in participating in almost 20 official meetings and conferences.
5. The CCF has also delivered six onsite or remote training sessions to new INTERPOL officials or INTERPOL National Central Bureaus (NCBs).

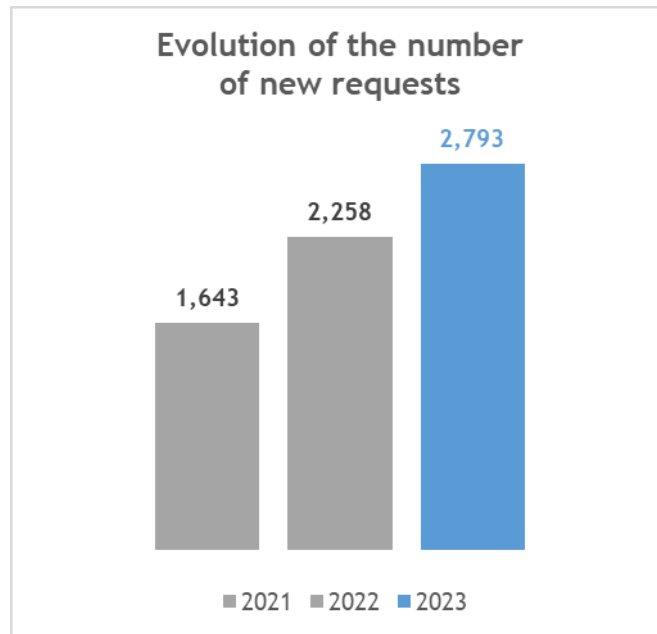
B. The Supervisory and Advisory Chamber

6. The Chamber was consulted by the INTERPOL General Secretariat on nine projects, some of them considered several times, as a result of which the CCF shared 13 decisions with the General Secretariat.
7. It also conducted spot checks on three different topics and delivered several opinions and recommendations to the General Secretariat in that context.
8. It examined four major legal and technical matters of interest for the CCF on security and integrity of data, and on major data protection standards.
9. The Chamber participated in around 50 meetings with the General Secretariat to discuss projects and procedures involving the processing of personal data.

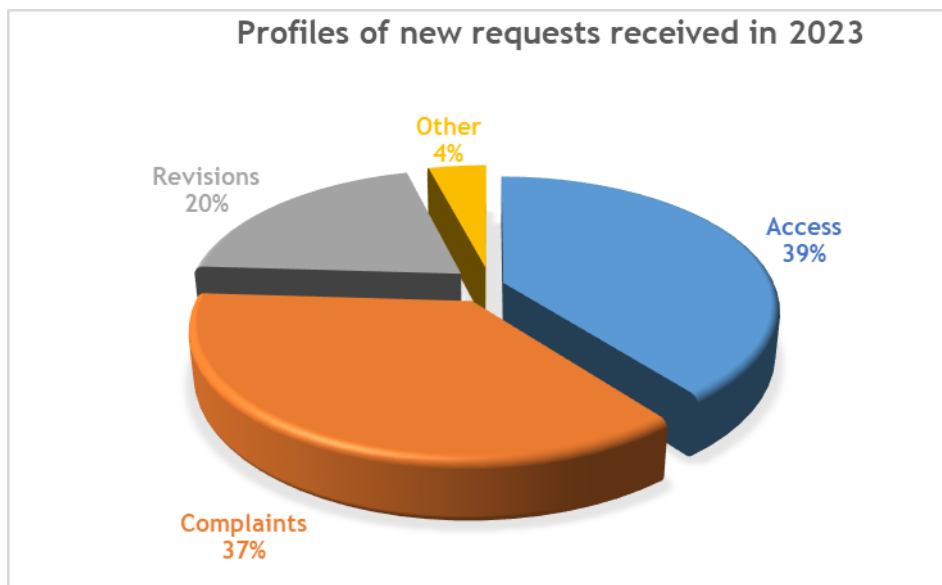
C. The Requests Chamber

(a) New requests received in 2023

10. In 2023, the CCF received 2,793 requests or applications for the revision of decisions (232 per month) concerning 2,000 new applicants. Indeed, some applicants made several successive requests during the same year. For example, they can first send an access request and then a request for correction or deletion of data, or they can apply for the revision of a compliant CCF decision.
11. These figures highlight the increase in the number of successive requests made by applicants over the past three years.
12. The number of new requests has also continued to increase over the past three years. The increase was 70 per cent between 2021 and 2023 (including 34 per cent between 2021 and 2022 and 27 per cent between 2022 and 2023).

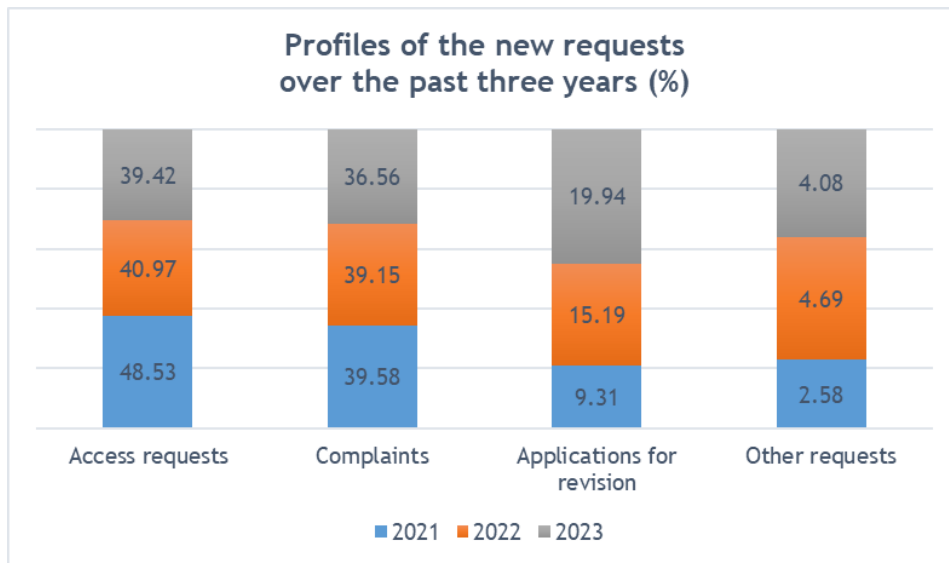


13. In 2023, the Commission received 1,101 access requests, 1,021 requests for correction and/or deletion, 557 applications for revision, and 114 other requests. The chart below presents the profiles of the requests received in percentages.



- **Access requests** are requests for information on whether there are data recorded in INTERPOL's files and to obtain communication of such data.
- **Complaints** are requests for the correction and/or deletion of data (if any) recorded in INTERPOL's files.
- **Applications for revision** of the CCF's decisions are requests made either by the applicants or by the sources of the data, arguing that new information warrants a change to a prior decision taken by the CCF.
- **Other requests** include any request that is not an access request, a complaint, or an application for revision. They may include pre-emptive requests which supply information that would foreclose an NCB from being able to have data processed, or requests presented as "complaints" but addressed for purposes that may go beyond the CCF's mandate (e.g., requests for the cancellation of proceedings involving an applicant at the national level). Processing these requests also requires resources.

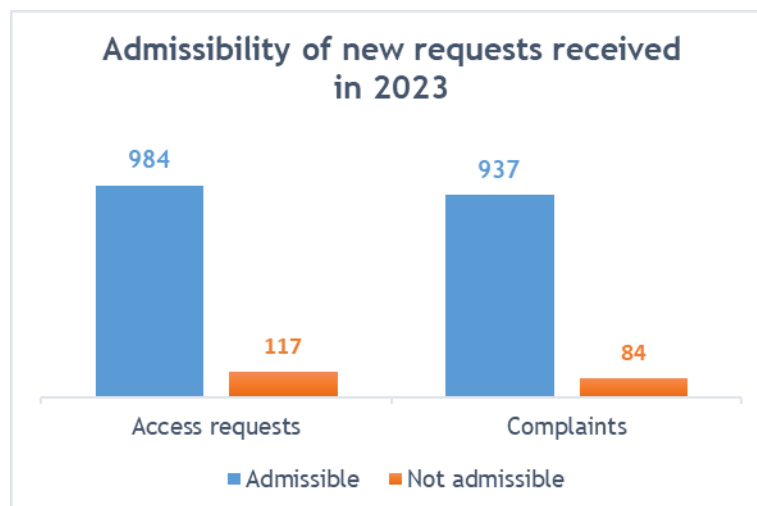
14. While the ratio of complaints to access requests has remained broadly unchanged over the past three years, the percentage of applications for revision rose significantly in 2023 (from 9 per cent of the requests in 2022 to 20 per cent in 2023). In particular, some countries have significantly increased the number of applications for revision they make. There is also an increase in applications for revision from applicants.



15. Access requests and complaints received by the CCF do not always meet the conditions for admissibility laid down in Rule 30 of the Operating Rules of the CCF, mostly because the applicants do not provide a copy of an identity document, a signed power of attorney when they are represented by a third person, or arguments to support a request for correction and/or deletion of information, despite requests to do so by the CCF.

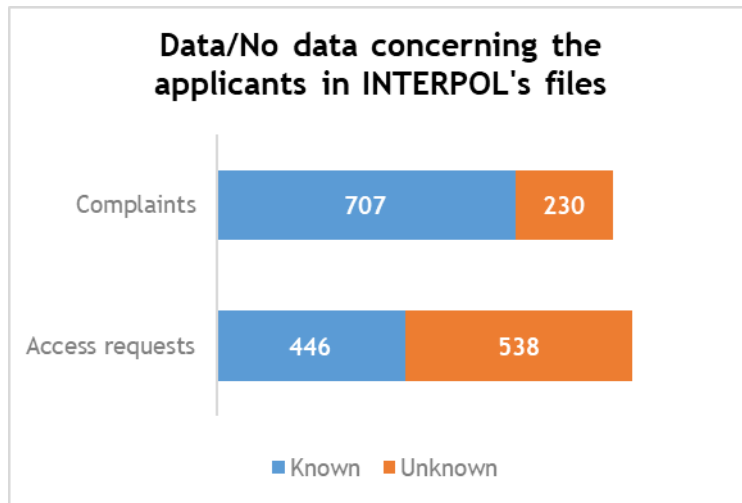
16. Among the 2,122 new access requests and complaints received in 2023 (see paragraph 13 above), the number of new admissible requests was 1,921 (91 per cent):

- Access requests: 984 (89 per cent of the 1,101 access requests received);
- Complaints: 937 (92 per cent of the 1,021 complaints received).



17. Among the 1,921 admissible access requests and complaints, 1,153 (60 per cent) concerned applicants subject to data in INTERPOL's files:

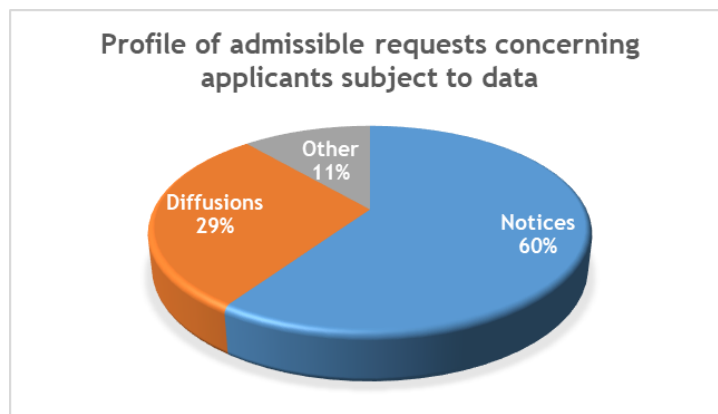
- Access requests: 446 (45 per cent of the 984 admissible access requests);
- Complaints: 707 (75 per cent of the 937 admissible complaints).



18. Even when there are no data concerning an applicant in INTERPOL's files, the CCF is still required to take several measures. It consults the NCBs that may have been involved in processing the data concerning the applicants. This is the case, for example, when an applicant provides the copy of a message exchanged between NCBs that has remained in national files even though the data concerned had been deleted from INTERPOL's files. Another example is when an applicant explains why he or she believes to be subject to information from a specific country; in such a case, the CCF may consult the country mentioned in the applicant's case even when there is no information in INTERPOL's files. Moreover, the CCF often has to ask the applicants to provide additional information (for example when they claim to have been detained on the basis of information processed by INTERPOL). The CCF also regularly coordinates with the INTERPOL General Secretariat to urge the NCBs of the countries involved in the detention of applicants, allegedly on the basis of INTERPOL information, to check and update their national files.

19. Profile of the 1,153 requests concerning applicants subject to data:

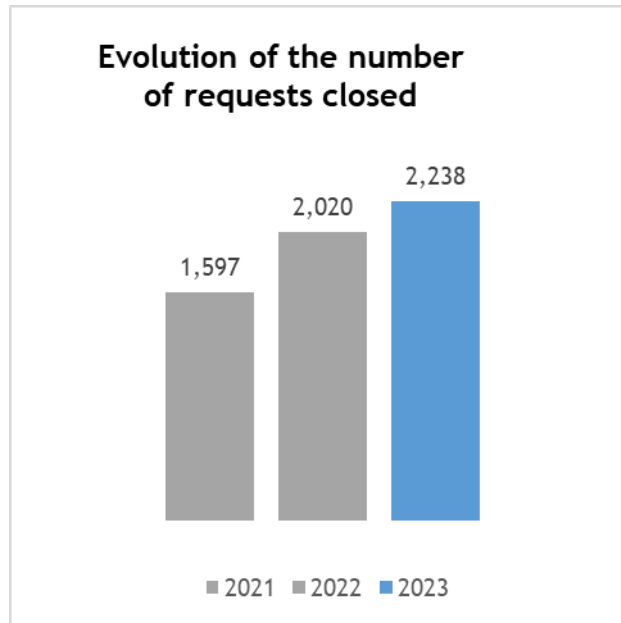
- 687 were subject to Notices;
- 335 were subject to Diffusions;
- The remaining applicants may simply be subject to information either registered in the Stolen Motor Vehicles database or in the SLTD database, which contains information on travel and identity documents that have been reported as stolen, stolen blank, revoked, invalid or lost, or they may be subject to information available in the file of a co-accused;
- In addition, 50 abstracts of the 687 Notices were published on INTERPOL's website.



20. The main offences of which the applicants are accused continue to be fraud related (financial crime, misappropriation, embezzlement, etc.).

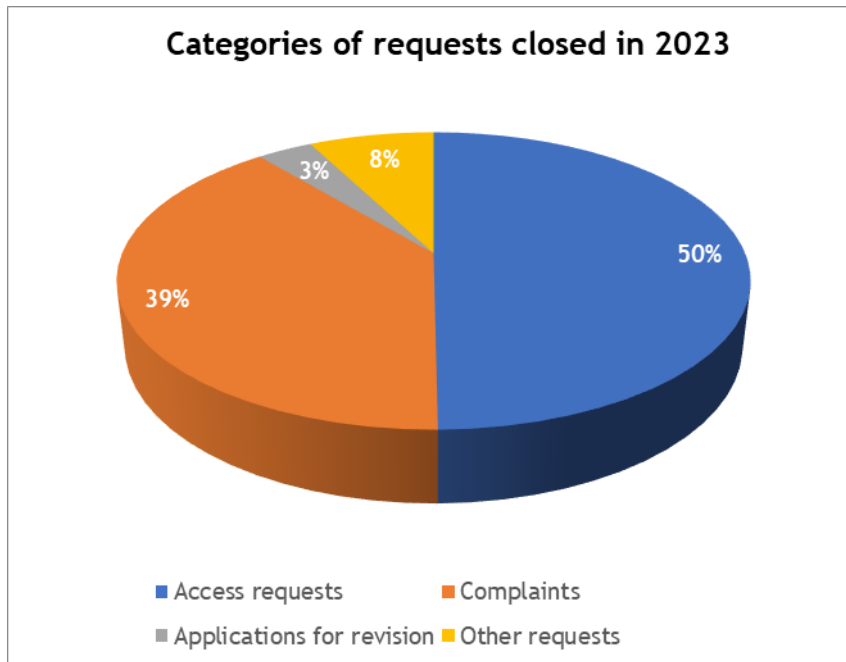
(b) Requests closed in 2023

21. The Commission closed 1,597 requests in 2021 (133 per month), 2,020 in 2022 (168 per month) and 2,238 in 2023 (186 per month). The increase was 40 per cent between 2021 and 2023 (including 26 per cent between 2021 and 2022, and 11 per cent between 2022 and 2023).



22. Profile of the 2,238 closed requests

22.1 They concerned 1,115 access requests, 876 complaints, 76 applications for revision, and 171 other requests.



22.2 Most of the requests concerned applicants who were subject to data processed in INTERPOL's files when they presented their requests:

- 1,376 (62 per cent) of the 2,238 closed cases;
- 539 (48 per cent) of the 1,115 applicants who presented an access request;
- 673 (76 per cent) of the 876 applicants who presented complaints.

22.3 Most of the requests closed in 2023 were admissible:

- 1,024 (92 per cent) of the 1,115 closed access requests;
- 835 (95 per cent) of the 876 closed complaints.

22.4 A large number of requests closed in 2023 were at the same time admissible and concerned applicants subject to data in INTERPOL's files when they presented their submission to the CCF:

- 519 (46 per cent) of the 1,115 access requests;
- 643 (73 per cent) of the 876 complaints.

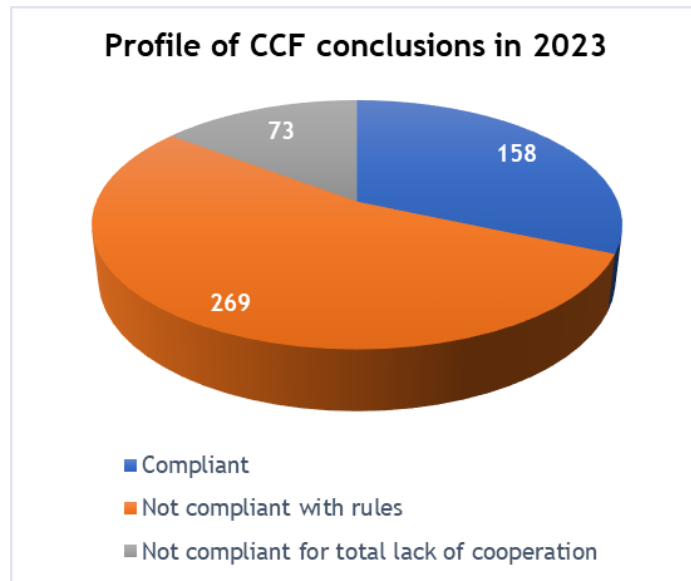
23. Profile of the 876 closed complaints

23.1 Of these, 376 were closed without a CCF decision on compliance for one or several of the following reasons:

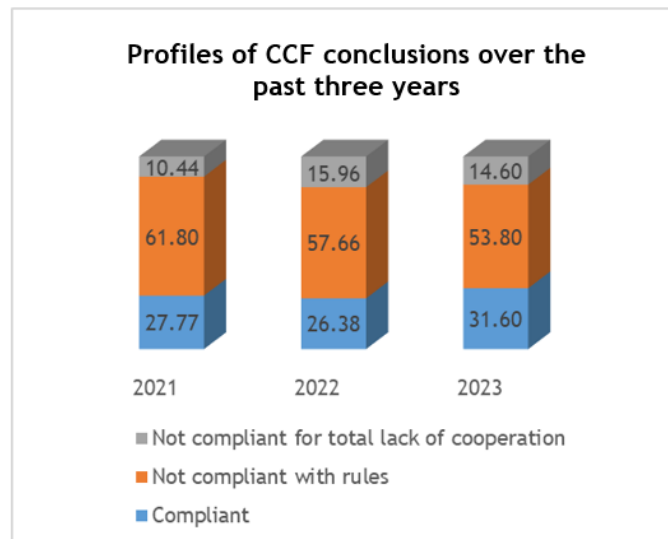
- The requests were never declared admissible;
- The applicants were not the subject of any data;
- The data challenged were deleted by the INTERPOL General Secretariat or by the NCB source before any decision was taken by the CCF (for 138 cases);
- A few remaining cases were subject to information exchanged among NCBs but not processed in an INTERPOL database.

23.2 The remaining 500 admissible complaints from individuals subject to data were closed following a CCF decision on compliance.

- The CCF concluded in 158 cases (32 per cent) that data were compliant with INTERPOL's rules and in 342 cases (68 per cent) that the data were not compliant;
- In 269 cases (54 per cent), it concluded that the data were not compliant after a thorough examination of the applicants' claims and the information provided by the NCB(s), and other information available to it. The cases found not compliant with INTERPOL's rules include cases decided on the basis of Articles 2 or 3 of INTERPOL's Constitution, of the INTERPOL policy on refugees, or of the conditions set up in the Rules on the Processing of Data for the issuance of a Notice or the circulation of a Diffusion;
- The remaining 73 additional cases (14 per cent) were not compliant because of a total lack of cooperation from the NCB(s) source of the data. When NCBs do not confirm the validity of the proceedings for Notices or Diffusions despite reminders, the CCF usually decides that the data shall be deleted without further examination of the applicant's arguments.



24. The graph below shows the percentage of cases found compliant and non-compliant over the past three years. A small increase in the number of compliant cases in 2023 can be observed.



(c) Timelines

25. In 2023, the four- and nine-month time periods to take a decision provided by the CCF Statute were not met in about 30 per cent of access requests and 15 per cent of complaints. This is primarily due to the workload causing delays in processing.

26. For those cases that are not decided within the four- and nine-month period, the average delay is an additional three to four for months for access and three to six months for complaints. Thus, in 2023, 70 per cent of access requests were completed within four months, and 30 per cent of access requests were completed on average in seven to eight months; 85 per cent of complaints were processed within nine months, and 15 per cent of complaints were completed on average in 12-15 months.

27. In addition, some particularly sensitive or complex cases require more than nine months to gather additional information from the parties, third parties, or countries to analyse all available information, to decide whether the case is compliant, and to follow up on the implementation of the CCF's decisions.

28. One other cause of delays is the tendency of some NCBs to request repeated deadline extensions or to not cooperate at all, leading to additional procedural steps.

29. Finally, restrictions to the communication of information usually require extensive exchanges with the parties to obtain their motivations and justifications and to seek the possibility to share minimum information with the affected party, as required under Article 35(c) and (d) of the CCF Statute. It is estimated that 20 per cent of requests are affected by restrictions imposed by applicants, and 60 per cent of the cases are affected by restrictions imposed by NCBs.

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APPENDIX 2: STANDARD STEPS FOR THE PROCESSING OF REQUESTS

1. The two diagrams below show the main stages of the process for handling standard requests for access and requests for correction and/or deletion.

2. The processing of a request may involve multiple steps, each of which may require several actions. The order of actions presented may vary from case to case. These actions usually involve correspondence with the relevant parties or the General Secretariat. In certain situations, the CCF may take additional measures that are not reflected in the charts.

- For instance, if an applicant explains that he/she has been detained based on INTERPOL's data, the CCF may request the NCB of the concerned country to verify that their national files are up to date and aligned with the information in INTERPOL's files. This step may be necessary when data have been deleted from INTERPOL's files but not from all national files.
- When an applicant provides a document from a national jurisdiction, for example denying extradition on the grounds that the proceedings are politically motivated or that the applicant's due process rights would be violated if extradited, the CCF will consult the NCB of the country that refused extradition.

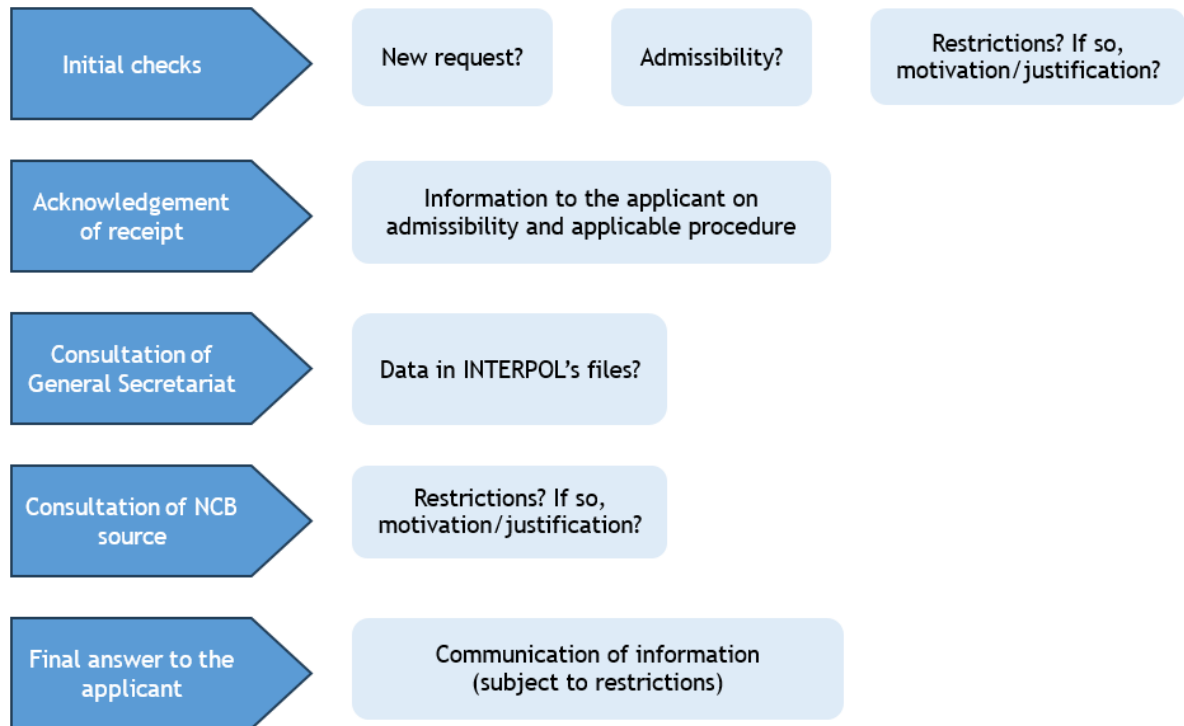
3. For each step shown in the diagrams, there may be further back and forth with the applicants and the NCB regarding the information provided by each party in order to obtain all relevant information in response. The average numbers of pieces of correspondence exchanged by the CCF with stakeholders are approximately:

- for access requests (Article 29 of the CCF Statute): 12
- for complaints (Article 29 of the CCF Statute): 35
- for applications for revision (Article 42 of the CCF Statute): 30

4. In processing requests, the CCF takes into account any restrictions imposed by the parties and generally returns to the restricting party to determine the reasons and to assess whether certain information could nevertheless be communicated to the other party, as required by Article 35 of the CCF Statute and in order to enable the CCF to properly discharge its functions. Restrictions may impact the standard steps described below.

5. While the requests are processed in the order of their arrival, the CCF may decide that specific situations require quick actions. This is for example the case when an applicant provides the copy of a court decision from the country source of the data, establishing the (s)he was acquitted of the offences for which a Red Notice was issued.

1. REQUESTS FOR ACCESS



2. REQUESTS FOR CORRECTION AND/OR DELETION

