

NOTES ON PART C6: ADMINISTRATION DOCUMENTATION

The Committee has operated an informal secretariat arrangement. New Zealand has performed that task for the inaugural committee, the second committee and the third committee. The secretariat function has involved being the recipient post box for applications (credentials@privacy.org.nz) and for subsequent distribution and associated secretariat tasks (such as setting and checking deadlines, collating responses, identifying issues and placing them before the committee, liaising with conference hosts and drafting the annual report). Occasionally, some tasks have been delegated such as liaison with the conference hosts. Another committee member with the appropriate skills typically took on tasks such as translation of documentation.

The tables of assigned reviewers gives an idea of how the workload was progressed and who completed the various assessments.

The secretariat provided updates to sub-group members and to the Committee from time to time. The style was typically quite informal except on occasions when the Committee was asked to take a formal position. While many of the update notes refer simply to procedural and process issues, there are more so discussions of questions of interpretation buried within those updates.

ACCREDITATION – ASSIGNED REVIEWERS

From (Bold = assessment completed)	Date Rec'd	No	Language	Assigned to: (Bold = completed)	
				1 st	2 nd /3 rd
Australia – Federal	4 June	42	E	NZ	FR
Australia – NSW	10 May	7	E	UK	NZ
Australia – Victoria	8 May	5	E	UK	NZ
Austria	14 June	47	E	NZ	FR
Belgium	20 May	14	F	FR	UK
Canada	24 May	34	E & F	FR	UK
Canada - British Columbia	14 May	9	E	NZ	FR
Canada – Manitoba	23 May	24	E	UK	NZ
Canada – Ontario	16 May	12	E	NZ	FR
Canada – Quebec	27 May	41	F	FR	UK
Czech Republic	20 May	15	E	FR	NZ
Denmark	23 May	25	E	NZ	UK
Finland	21 May	17	E	NZ	FR
France	17 June	48	F & E	NZ	UK
Germany	23 May	27	E	FR	NZ
Germany – Berlin	17 July	49	E	NZ	FR
Germany – Bavaria	9 May	6	E	UK	NZ
Germany – Brandenburg	21 May	19	E	UK	NZ
Germany – Hamburg	8 May	4	E	UK	NZ
Germany – Hesse	27 May	39	E	UK	NZ/FR
Germany – West Pomerania	27 May	38	E	UK	NZ
Germany – Rheinland-Pfalz	7 May	2	E	UK	NZ
Germany – Sachsen-Anhalt	24 May	33	E	UK	NZ
Germany – Schleswig-Holstein	24 May	30	E	UK	NZ/FR
Germany – Thüringer	20 May	16	E	UK	NZ/FR
Greece	25 July	52	E	NZ	UK
Guernsey	22 May	20	E	NZ	UK/FR
Hong Kong	24 May	32	E	UK	NZ
Hungary	18 July	50	E	NZ	FR
Iceland	7 May	3	E	NZ	FR
Ireland	23 May	23	E	NZ	FR
Isle of Man	23 May	22	E	NZ	UK/FR
Italy	7 June	44	E	NZ	UK
Jersey	24 May	35	E	NZ	UK/FR
Latvia	27 May	36	E	FR	NZ/UK
Lithuania	13 May	8	E	FR	NZ/UK
Monaco	11 June	45	F	FR	UK
Netherlands	23 May	28	E	NZ	UK
New Zealand	7 May	1	E	UK	FR
Norway	27 May	40	E	NZ	UK
Poland	22 July	51	E	NZ	FR
Portugal	13 June	46	E	NZ	UK
Romania	24 May	29	E	FR	NZ
Slovakia	24 May	31	E	FR	NZ

Slovenia	15 May	11	E	FR	NZ
Spain	23 May	21	E	NZ	FR
Sweden	4 June	43	E	NZ	UK
Switzerland	20 May	13	F	FR	UK
Switzerland – Zug	23 May	26	F	FR	UK
Switzerland –Zurich Canton	27 May	37	E	NZ	FR
Switzerland –Zurich City	14 May	10	E	FR	NZ/UK
UK	21 May	18	E	NZ	FR

Distribution to Reviewers - First Review					
Batch	Date	UK	FR	NZ	Total
1	21 May	7	6	6	19
2	23 May	2	2	5	9
3	27 May	5	5	3	13
4	17/6 – 22/7	0	1	8	9
TOTAL		14	14	22	50

Distribution to Reviewers – Second and Third Review					
Batch	Date	UK	FR	NZ	Total
1	26 June	15	13	3	31
2	27/06 – 22/7	4	7	18	29
TOTAL		19	20	21	60

Applications Requiring Committee Decision		
Date referred	Application	Date of decision
2 July	Zurich City	
2 July	Guernsey	16 July
2 July	Isle of Man	16 July
2 July	Jersey	16 July
8 July	Latvia	
8 July	Lithuania	
8 July	Monaco	

Blair Stewart

From: Blair Stewart
Sent: Friday, 30 May 2003 11:52 a.m.
To: Blair Stewart; Jonathan Bamford (E-mail); Marie Georges (E-mail)
Subject: Credentials Update 30 May 2003

A tabulated update of the current assessments in hand. Entries in bold have been completed. With the help of the federal Commissioner I've followed up with Northern Territory (Australia) and expect an application from that jurisdiction by the deadline.

Application	Rec'd	No	Language	Assigned to:	
				1 st	2 nd /3 rd
Madrid	2002	1	E	F	UK
Council of Europe	2002	2	F	F	NZ/UK
Cyprus	10/01/03	3	E	NZ	UK
Argentina	28/02/03	4	E	UK	NZ
Alberta	07/05/03	5	E	NZ	UK
JSA Customs	13/05/03	6	E	NZ	UK/F
JSB Europol	13/05/03	7	E	NZ	F/UK
JSA Schengen	13/05/03	8	E	NZ	UK/F
Interpol	27/05/03	9	F	F	

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2004 ACCREDITATION – ASSIGNED REVIEWERS

From (Bold = assessment completed)	Date Rec'd	No	Language	Assigned to: (Bold = completed)	
				1 st	2 nd / 3 rd
Catalonia Spain	28/12/03	1	E	UK	NZ
Korea	07/05/04	2	E	NZ	UK
Mexico	10/05/04	3	E	NZ	UK/FR
European Data Protection Supervisor	1/06/04	4	E	UK	NZ
USDHS	15/06/04	5	E	NZ	UK/FR

Accreditation applications for London Conference (updated 26 July 2006)

Applicant	Date received	1 st assessment	2 nd assessment	Recommendation
Andorra	20 July 2005	Arg: assigned 12-12-05 Can: re- assigned 30-6- 06		
Liechtenstein	9 August 2005	Can: assigned 12-12-05		
Estonia	16 Sept 2005	NZ: assigned 12-12-05; completed 13- 3-06	Can: assigned 13-3-06	
Gibraltar	11 July 2006	NZ: assigned 12-7-06 Completed 17- 7-07	Can: assigned 17-7-06	
New Brunswick	13 July 2006	NZ: assigned 14-7-06 Completed 18- 7-06	UK: assigned 18-7-06	
Northwest Territories	13 July 2006	NZ: assigned 14-7-06 Completed 26- 7-06	UK: assigned 26-7-06	
Nunavut	13 July 2006	NZ: assigned 14-7-06 Completed: 26- 7-06	UK: assigned 26-6-06	
Romania	19 July 2006	NZ: assigned 19 July Completed 19- 7-06	Can: assigned 19-7-06	

Blair Stewart

From: Blair Stewart
Sent: Tuesday, 21 May 2002 1:59 p.m.
To: Marie Georges (E-mail); David Smith (E-mail)
Cc: Bruce Slane
Subject: Accreditation applications - brief update 21/5/02 - proposed allocation

As at Tuesday morning, local time, we'd received 19 applications. If we had an application from every authority to which M Gentot wrote, we'd receive 64 applications so we're 1/3 there. The deadline was 24 May so I expect a rush until early next week. So that we can each make a start, I propose tomorrow to divide up and circulate the ones received so far.

I propose to allocate them as follows:

- any in French - Marie
- national authorities in EU states - Blair
- Eastern Europe - Marie
- Australian states - David
- German lander - David
- Swiss cantons - Marie
- Canadian provinces - Blair.

The countries not mentioned will balance up the numbers. I might depart from these rules of thumb if it one reviewer is being given too many or too few. For variety, I'll allocate the national authorities in federal states to a different reviewer than the sub-national authorities. Remember that each is looked at by a second person also - I propose that this might be done more randomly.

David has helpfully circulated the checklist. I suppose I should make the obvious point that we each need to complete the checklist electronically so that it can be emailed between us. May I suggest that we each aim to complete the first batch of checklists by **3 June**? (Other than for any you need to make enquiries of the contact person at the authority concerned where, naturally, you might be somewhat delayed). If you need longer it's not a problem and we'll review progress from time to time. Send the checklists back to me so that I can reallocate the application to myself or the other reviewer.

I trust this all sounds OK to everyone.

Regards,

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Blair Stewart

From: Blair Stewart
Sent: Wednesday, 10 July 2002 4:22 p.m.
To: Blair Stewart; Jonathan Bamford (E-mail); Marie Georges (E-mail)
Subject: Update as at 10 July 2002

I'm pleased to say that we've made good progress towards completing the task.

Update

I attach 2 documents. The first is the list of all the applications and shows which steps have been completed. For this version I've shown in bold all those authorities for which we've completed a positive assessment. The second document is the draft resolution proposing the approved authorities for accreditation. Please note that I've done my best to give each authority's name in English and in its own language but that has not always been easy or even possible. Both pieces of information were not always on the application and I had to look at websites. If you note any errors or can fill in any gaps let me know (eg I could not tell from the Icelandic Commissioner's website what the commissioner's title is).



Accreditation - Resolution No
Assigned Review... 1.doc

A few statistics:

- we received 48 applications from the 64 authorities invited to apply;
- of the 48 applications, the subgroup has completed initial assessment of 46 and final assessment of 28;
- Of the 28 we've finally assessed, 24 have met the subgroup's approval with 4 being referred to the Committee for decision (another 3 have been referred to the committee on the basis of an incomplete assessment).

Some remaining issues

While some of the remaining work is now in the trusty hands of the Committee itself, we do have some remaining tasks - in addition to the principal one of completing processing of the balance of the 20 applications. A few questions that occur to me, some of which have previously been shared in emails, are:

- should we solicit any outstanding applications (eg Greece, Hungary)?
- should we initiate any research use of the applications?
- do we need to prepare any other resolutions or documents?

Reminders?

Of the outstanding applications, I must say I'm surprised at not seeing any from:

- Greece
- Hungary
- Berlin
- Alberta

Though less familiar with them, I would also have expected applications from Poland, Luxembourg, Argentina and Israel. I'm not sufficiently familiar with the German lander to know if there are any other surprise omissions there.

In any particular case they may have decided not to travel to Cardiff for this year's conference and on that basis not applied (eg Alberta and Israel don't always attend). Perhaps Jonathan could check with the conference organisers as to which commissioners have so far registered to attend? In some cases they might have judged that they would not meet the accreditation criteria and therefore not applied. I believe that at least some of those listed have already been sent a reminder and we may not feel inclined to send another. But in at least those cases in the above list where either someone has registered for the Cardiff conference, or has not been sent at least one reminder, we might usefully send a reminder. From my perspective I'm a little concerned that it is technically possible that someone may have electronically lodged an application with this office and it has been overlooked, deleted, or not received for some technical reason.

Please note that in the case of Alberta (unlikely, I think, to attend Cardiff) the commissioner is changed and is now Frank Work: fwork@oipc.ab.ca

If reminders are sent, my suggestion is that we explicitly ask if they intend to be in Cardiff. If not we will process any application at our leisure, possibly after Cardiff. Otherwise a very short deadline of perhaps a week should be allowed.

Depending on timing we can leave the latecomers out of the main resolution and add a supplementary one on the day pursuant to the allowance in the committee guidelines for urgent or late applications.

Research use?

Marie has shared some thoughts on this in reply to my email on the subject. While I'd like to see some academic research made of the wealth of comparative material in the applications it's not a priority for me at present. Perhaps we should leave the matter but take the opportunity to have a chat about it in Cardiff and sound out the views of others while we're there.

Other resolutions or documents?

I've circulated a second suggested resolution. Depending upon how the disputed applications turn out there may be others. I thought it would be useful to put out a written report of the Committee's work and would be happy to have a go at writing one. I doubt that the committee need do a report in future years but I thought it would be appreciated by commissioners in this first important year. The written report would not limit what the Committee might report orally at the conference.

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Blair Stewart

From: Blair Stewart
Sent: Monday, 22 July 2002 6:57 p.m.
To: Blair Stewart; Jonathan Bamford (E-mail); Marie Georges (E-mail)
Cc: Bruce Slane
Subject: Credentials - A few matters outstanding

Marie and Jonathan, thanks for your respective messages. I've spoken to Bruce Slane about the various matters and make some proposals below.

1. We don't object to the grant of Latvia and Lithuania's applications and so I will process these now as approved.
 2. A decision has already been taken in respect of Jersey, Guernsey and Isle of Man and I note that they are each reconciled to the Committee recommending sub-national status.
 3. I think it is agreed that Monaco's application is not supported. Bruce Slane's position is that it should not be declined outright without giving the Monaco authority a chance to be heard. He proposes that Monaco be advised of the Committee's concerns and that a favourable recommendation will not be given at the Cardiff conference. However, that if Monaco wishes to attend at Cardiff the opportunity will be provided to meet privately with the Committee to explain its case and make any representations. The host may, in its discretion, grant Monaco observer status in the meantime solely for the Cardiff conference. The Committee would make a final decision after the Cardiff conference.
 4. It is agreed that the Zurich City application should be declined. The conference host may wish to extend observer status in its discretion. The opportunity could be given to ask to meet with the Committee although I do not think that it as vital to make that offer as with Monaco.
- If 3 and 4 are agreed perhaps someone could offer to contact one or both (probably a French speaker in the case of Monaco, Zurich may need to be notified in writing as Marie advises he is on vacation).
5. Poland's late application is now the only one outstanding I think.
 6. We may yet receive an application from Greece.
 7. I've emailed David Clancy at the UK office requesting a short extension in time to submit the resolutions for circulation. I said we'd be ready to give them to him on Friday 26 July.

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Blair Stewart

From: Blair Stewart
Sent: Wednesday, 9 July 2003 2:08 p.m.
To: Blair Stewart; Jonathan Bamford (E-mail); Marie Georges (E-mail)
Cc: Bruce Slane
Subject: Credentials update (9 July) and draft resolution

This note updates things since the last update of 20 June.

1. State of play

Assessments complete: Argentina, Cyprus, Council of Europe, Europol, Interpol and Madrid.

Checklists outstanding:

- Marie: Malta, Customs, Schengen
- Jonathan: Alberta, Northern Territory

Customs and Schengen have both had 2 assessments so if Marie wishes she can probably leave those two and concentrate on completing Malta, Alberta and Northern Territory. A third assessment is perhaps unnecessary now that we've all had a chance to try our hand at some supra-national assessments.

2. Acknowledgements and notification of recommendations

I have acknowledged all the applications and promised we'd give them the Committee's recommendations soon. We didn't do that last year but we ought to this time to enable people to confidently make travel plans. Malta has been agitating Jonathan, I understand. Others must be wondering.

Unless anyone objects I'd propose to email tomorrow to Argentina, Cyprus, Council of Europe, Interpol and Madrid indicating a positive recommendation on accreditation. I won't say anything on voting rights at supra-national or international level. If Marie wants to forgo a third assessment of Schengen and Customs, please tell me and I'll notify them too.

3. Draft resolution

I attach a draft resolution.



Accreditation
Resolution.doc

It says nothing about voting rights as I've concluded that a resolution is only required in the case that voting rights *are* recommended. Instead, we can just say in our report that voting rights are *not* recommended.

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that Bruce will be able to meet up with his many friends and colleagues which was denied him for medical reasons at Cardiff. He won't be present for discussion of Credentials business at the closed session.

With Jonathan's confirmation that he'll be present at Sydney, and the conclusion of the Committee's 2 year term, it'd probably be timely to have a celebratory drink or dinner of the Credentials Committee and sub-group sometime when we're all present, together with an official photograph!

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Blair Stewart

From: Blair Stewart
Sent: Friday, 20 June 2003 12:20 p.m.
To: Blair Stewart; Jonathan Bamford (E-mail); Marie Georges (E-mail)
Cc: Bruce Slane
Subject: Accreditation Update 20 June 2003

Thanks for each getting back to me today.

I last did a general update on 30 May, so it may be timely to review things again.

1. Deadline for applications

The deadline for applications was 3 months before the conference, i.e. 12 June. We'd received 9 applications by that date. On 19 June I contacted the Northern Territory Commissioner to say we'd accept a late application if received immediately but probably would accept an application after 25 June. I received his application later that same day. Jonathan may like to take the same approach with Malta and indicate an application received after 25 June will likely be carried over to 2004 to be considered by the new committee.

2. Further applications

Other than Malta I know of no other national applications that might be forthcoming. Presumably Monaco may apply again next year. At the supra-national level I take it that the EC appointment is still not resolved. At the sub-national level I do not expect any late applications (the troubles in Canada mean that any chasing of the last provincial commissioners is likely out of the question).

3. Completed applications

Processing of the following applications are complete with positive recommendations: Argentina, Cyprus, Madrid.

4. Awaiting 2nd or 3rd assessment

The following applications have had a positive first assessment and are awaiting a 2nd or, in the case of international applicants, a 2nd or 3rd assessment: Alberta, Northern Territory, Council of Europe, Interpol, JSA Customs, JSB Europol, JSA Schengen.

I obtained and circulated some further information on the CoE position where questions had been raised.

5. International question

We've each been mulling over the approach to be taken to recommending voting rights for the DPAs within supra-national and international bodies.

4. Resolution

The resolution from the Committee must be with the Conference host by 27 August at the latest. (A convenient reference to the procedures and rules for resolutions etc is now at <http://www.privacyconference2003.org/commissioners.asp>.) The Australian Commissioner has not set an earlier date for resolutions, as he is entitled to do, but has asked that they be with him "preferable *more than* two weeks before the conference." Accordingly I'd suggest that we aim for a date at least 2 weeks earlier, i.e. by 10 August. I'll be happy to prepare the resolution and he a draft ready based upon last year's one.

5. Miscellaneous

I'd be happy to prepare a brief report for the Committee to table or present, as I did last year. It will be simpler and shorter than last year's and would, I'd guess, focus upon the Committee's approach to DPAs within supra-national bodies, something not addressed previously.

As you know Bruce Slane was expected to retire from the Committee in the middle of 2003 with a new Commissioner completing his role for the conference. As it happens the Government has taken an extremely long time in appointing a replacement and it now appears that he will remain Commissioner until late-September. The delay in appointment meant that Bruce, in the meantime, accepted a professional commitment for September, a period when he was not expected to be commissioner. The upshot is that he will likely attend the first part of the conference but leave for an International Bar Association meeting before the closed session. Although the clash of dates is unfortunate it will mean

Blair Stewart

From: Blair Stewart
Sent: Tuesday, 20 May 2003 5:53 p.m.
To: Blair Stewart; Jonathan Bamford (E-mail); Marie Georges (E-mail)
Subject: Accreditation Update 20 May 2003

Having just completed 3 first assessments today I thought it might be timely to circulate an update as to where we're at.

1. The Conference rules indicate that accreditation applications should be with the Credentials Committee 3 months prior to the conference. Accordingly, the cut off is 10 June, a mere 3 weeks away.
2. We've completed assessments of 2 national authorities: Cyprus, Argentina. We have no outstanding applications from any national authorities but may yet receive something from Monaco and Malta.
3. We completed assessment of one application from a sub-national authority: Madrid region. A first assessment of Alberta has been completed. Additional applications from one or two Canadian provinces remain a possibility and the Canadian Privacy Commissioner's Office is doing some chasing (partly in anticipation of next year's Ottawa conference). We have no word on any further German lander applications. I will copy this note to the Australian Privacy Commissioner on a confidential basis both to assist in his conference preparations and to ask whether he wishes to follow up with the new Northern Territory Information Commissioner.
4. We have 4 applications from authorities at the international or supra-national level. First assessments are complete for the Council of Europe, EU Customs Information System, Schengen and Europol. We may yet get an application from Interpol. I presume that an application regarding the proposed EU Data Protection Supervisor remains unlikely.

Regards

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application from that quarter this year. There might be one or two other authorities which might wish to seek accreditation (Interpol or Europol oversight committees?). I do not think that we need to actively chase them along.

10. After some prolonged work in collating last year's applications, these have now been despatched to the researcher who requested them.

That seems to record most of the matters currently before the committee. If I have overlooked anything that we ought to be doing, please sing out.

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Blair Stewart

From: Blair Stewart
Sent: Wednesday, 15 January 2003 6:36 p.m.
To: Blair Stewart; Jonathan Bamford (E-mail); Marie Georges (E-mail)
Subject: UPDATE ON CREDENTIALS WORK

Having somewhat rested since the Cardiff Conference, I thought that the subgroup ought to reflect upon what we might hope to achieve between now and 10 June (the date 3 months out from the conference whereby all applications should be with us).

1. We currently have 3 **applications** before us. These are from the data protection commissioners for:
 - Cyprus;
 - Madrid;
 - Council of Europe.
2. I have done a first assessment of **Cyprus** and have passed the application with my positive assessment to Jonathan.
3. The application from **Madrid** was, if I recall correctly, positively assessed by Marie and Jonathan shortly before the Cardiff conference although too late for us to include it in the Cardiff resolution.
4. The **Council of Europe** application was apparently received prior to Cardiff but through a technical malfunction with this office's email system, only opened in December 2002. The application is currently with Marie for a first assessment.
5. Of last year's applications, Monaco's was placed in abeyance pending amendments to its law. We indicated that the application should then be resubmitted. I suggest that at some appropriate point, Marie should remind the Monaco commissioner that any new application should be received at least 3 months before the Sydney conference.
6. In relation to **newly created authorities**, I am aware of at least 2 prospects. The first is the commissioner for Argentina, Juan Travieso. On 15 January 2003 I emailed Mr Travieso attaching the accreditation application form. I am also aware of a law enacted in Northern Territory, Australia, last year. In November 2002 a Commissioner was being recruited. On 15 January I emailed the relevant Northern Territory government official supplying the application form.
7. I am aware that there are a number of **commissioners at provincial level** in Canada who did not apply for accreditation last year because they did not intend to participate in the Cardiff conference. However, I imagine that they will want to attend Ottawa in 2004. It is desirable for them to get assessed this year so there is no barrier to them fully participating in the Ottawa conference. Rather than chase commissioners individually, on 15 January I emailed the Federal Canadian Commissioner's office and requested that the application form be forwarded to the commissioners in North West Territories, Nunavut, Prince Edward Island, Saskatchewan and the Yukon.
8. It occurred to me that there might be **German commissioners at lander level** who had not applied for accreditation because they rarely attend the conference. There may be merit in having a word with someone at the Federal Commissioner's office to see whether there are any promising candidates for accreditation who have not yet applied and to encourage the Federal Commissioner to contact them. If you both think it is a good idea to do so, may I suggest that Jonathan enquire about the matter at the Federal Commissioner's office, since he earlier handled most of the German state applications.
9. Finally, there would seem to be the matter of **international or supra-national institutions**. I am aware that the EU is actively recruiting its data protection supervisor and I guess that we can expect an

Blair Stewart

From: Blair Stewart
Sent: Monday, 3 November 2003 10:46 a.m.
To: Blair Stewart; Christophe Pallez (E-mail); Jonathan Bamford (E-mail); Marie Georges (E-mail)
Cc: Marie Shroff
Subject: Brief Credentials Committee update

Just a quick update on a couple of Credentials Committee matters.

New South Wales Privacy Commissioner

I guess we ought to expect that from time to time certain authorities will be restructured. As we know, a number of EU authorities changed their name and sometimes their form in moving from principally implementing Convention No 108 to the EU Directive.

We now have the first example, since the establishment of the accreditation structure, of the proposed abolition of a Commissioner with the transfer of the functions into another entity. The attached speech to the New South Wales Legislature explains that the NSW Privacy Commissioner will be abolished with the functions transferred to the NSW Ombudsman.



Second
adding Speech.DC

I will have a better picture of the position after a meeting in Australia next week. However, I don't think it will be particularly problematic from the Committee's perspective. In due course we'll need to adopt a procedure to "de-list" the NSW Commissioner. At an appropriate time (it would be undiplomatic to enquire yet) I will ascertain the Ombudsman's intentions. I expect the Ombudsman would be entitled to obtain accreditation (as did the Manitoba Ombudsman for example). We might have to decide whether to treat an application as an alteration of the existing NSW accreditation or as a brand new application. It may make little difference perhaps.

Korean Information Security Agency (KISA)

I have had an enquiry from KISA which clearly intends to apply for accreditation. I am not sure whether the application will come from KISA as a whole or solely the Mediation Committee of KISA. Without in any sense pre-judging the application, which may have some fishhooks, I think that this expression of interest in joining us is a positive development from a very active agency in an important, and under-represented region.

So far I have no other indications of likely applications but I'd ask other sub-group members to let us know if anything is likely.

Regards

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From: Blair Stewart
Sent: Friday, 16 January 2004 1:35 p.m.
To: Blair Stewart; Christophe Pallez (E-mail); Jonathan Bamford (E-mail); Marie Georges (E-mail)
Subject: Short accreditation update

Just a quick update:

1. Jonathan completed an initial checklist for Catalonia. I've done the second check. Neither of us raised any issues so we are in a position to give a positive recommendation.
2. We had enquiries from Korea and Mexico in October and December respectively. Both have been given the application form but neither have yet applied. Korea asked some supplementary questions so look serious about doing so.
3. With the appointment of Peter Hustinx as EC Data Protection Supervisor, I have sent him a message inviting an application and supplying the necessary form. He is setting his office up from 2 February but it will presumably be a busy period for him.
4. The New South Wales changes I earlier alluded to (abolition of the privacy commissioner and transfer of most functions to the Ombudsman) have been put on hold for present for political reasons so we needn't concern ourselves further for the present.
5. Marie, do you know anything about the current situation in Monaco? I thought that they might reapply this year (or reactivate their earlier application)

My Korean contact tells me this morning that it is freezing there. It's nice and sunny here so I might just send this message and go outside to eat my lunch

Regards

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Blair Stewart

From: Blair Stewart
Sent: Wednesday, 30 June 2004 11:46 a.m.
To: Ewa Kulesza (E-mail)
Cc: Blair Stewart; Clarisse GIROT (E-mail); Jonathan Bamford (E-mail); Marie Georges (E-mail)
Subject: 26TH INTERNATIONAL CONFERENCE – CREDENTIALS COMMITTEE UPDATE
Sensitivity: Confidential

I refer to Marek Szwed's message of 18 June 2004 seeking further information on the Credentials Committee's work.

The Credentials Committee currently consists of the data protection commissioners from the United Kingdom, France and New Zealand. The work of the Credentials Committee is mainly carried out by a subgroup of senior staff from each office consisting of Jonathan Bamford from the UK, Marie Georges from France and myself. I essentially act as the Secretariat for the Committee.

As you will know, the Credentials Committee receives and assesses applications from any data protection authority that wishes to be accredited to participate in the closed session of the international conference. Consideration of the Committee's recommendations is the first item of business for the closed session of the conference. The accreditation principles, and the rules under which the Credentials Committee operate, are conveniently found at the website of the Australian Privacy Commissioner.

This year, the Committee has received applications from:

- One sub-national authority (the Data Protection Commissioner, Catalonia)
- Three national authorities (Korean Information Security Agency, Korea; Federal Institute of Access to Information, Mexico; Department of Homeland Security Chief Privacy Officer, USA)
- One supra-national authority (European Data Protection Supervisor).

The Credentials Committee has not completed its work. However, it is likely that the Committee will recommend accreditation in respect of the authorities from Catalonia, Korea and the EU. It is likely to recommend that the Mexican Authority not be accredited. No work has yet been undertaken in assessing the US application which has only recently been received.

Closer to the time of the conference, I will supply to you a proposed conference resolution containing the Committee's recommendations for accreditation. This would be circulated with any other resolutions as provided for in the conference rules. The Committee will also likely supply a written report of its work for circulation.

I trust this message is of assistance with your conference planning. If you have any questions, please do not hesitate to get in touch.

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Blair Stewart

From: Blair Stewart
Sent: Wednesday, 7 July 2004 3:56 p.m.
To: Blair Stewart; Clarisse GIROT (E-mail); Jonathan Barnford (E-mail); Marie Georges (E-mail)
Subject: Credentials update 7 July 2004

I thought it may be useful to briefly recap where we're at.

Status of applications

We have 5 applications:

- Catalonia: Assessed positively by UK/NZ, applicant has been advised that Committee likely to recommend accreditation
- Korea: Assessed positively by NZ/UK, applicant has been advised that Committee likely to recommend accreditation
- Mexico: Assessed negatively by NZ/UK/FR, applicant has been advised that Committee likely to decline to recommend accreditation (invited the applicant to approach Polish host if wishing to attend as an observer)
- European Data Protection Supervisor: Assessed positively by NZ/UK/FR, applicant has been advised that Committee likely to recommend accreditation and the granting of a vote
- USA DHS PO: processing of application not complete, 1st assessment undertaken by NZ.

I have given a general update of the position to the Polish Commissioner as host. I've now informally notified all applicants (except the US) of the outcome of their applications.

Further work

We have at least 3 further matters to attend to:

- take appropriate steps with US application (we haven't yet discussed how to handle this - we may, for example, wish to complete processing the application, defer completion of processing until after the Poland conference to enable further enquiries to be made, deal with it simply as an observer issue, etc)
- prepare a formal recommendation resolution for submission to the host
- prepare an annual report of the Committee's work.

As in previous years, I'm happy to prepare drafts of a formal resolution and annual report, if everyone's happy with that. I can't of course finish that until we decide an approach to the US application.

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Blair Stewart

From: Blair Stewart
Sent: Tuesday, 19 July 2005 5:43 p.m.
To: Blair Stewart; Christophe Pallez (E-mail); Jonathan Bamford (E-mail); Marie Georges (E-mail)
Subject: FW: Credentials Applications - technical problem in receiving emails
Importance: High

Jonathan, Marie

The message from the Saskatchewan Commissioner alerted me to the fact that I had not received a message that he'd earlier sent to credentials@privacy.org.nz.

I enquired though our Office Administrator of the company that maintains our computer server and was advised that the emails were not set to forward to me. Clearly someone or something has re-set the earlier arrangement inadvertently. Hence I had not received messages sent to that address in the recent past. I don't know how long the problem has existed since the messages are quite infrequent anyway.

However, there have been at least the 5 messages attached below that I had not previously seen. I am making urgent enquiries with the technicians to be sure that there are no others still in the system. It is not as bad as might first appear since:

- two of the 5 emails are from Saskatchewan, which we have already started processing
- one is from a private institution in the USA which is ineligible for accreditation
- it may have delayed matters by just 3 weeks or so
- all of the applications are, strictly speaking, late, the cut off being 16 June.

However, it does mean that we unexpectedly have 3 late applications on our plate:

- Saskatchewan (22 June)
- Luxembourg (1 July)
- Basel (22 June).

I suggest that we try to process all 3 since the Canadian one is already started, and probably straightforward, and the Basel application is within the host's country and it would be impolite not to try to complete looking at it. Luxembourg has of course applied before so we ought to try to complete dealing with it. The reason for the lateness relates to a delay in posting the accreditation application form on the conference website.

As I've already started on the Canadian application, and the Luxembourg application is in French, may I suggest that Marie take the Luxembourg application for a first assessment and Jonathan take the Basel one? For convenience I'll resend those applications to you individually so there's no mistake as to which to look at.

I apologise for any inconvenience caused by this technical problem. The previous arrangement and email mailbox has served us well for the last 4 years (although I do remember this problem occurring at least once before).

Regards

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31/07/2006

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-----Original Message-----

From: credentials privacy

Sent: Tuesday, 19 July 2005 4:53 p.m.

To: Blair Stewart

Subject:

Blair,

I have left you a phone message but will also send through the emails from the Credential mailbox. This was not set to forward to you at all as far as I could see.

This is now forwarding to you and these are the emails from mid last month to now that were in the mailbox.

JoAnn

LANWorx

(do not reply to this email)

Blair Stewart

From: Blair Stewart
Sent: Wednesday, 19 July 2006 7:47 p.m.
To: François Cadieux (E-mail)
Subject: Update of credentials tables

Francois

I've updated the timeline to include your holidays and the table to record progress on some of the applications.



Accreditation applications for...
Credentials Timeline.doc



Incidentally when I did a check on the Council of Europe Website to see if Romania had ratified the protocol to the Council of Europe Convention No 108 (i.e. ratified ETS 181) I was amazed to find a series of recent ratifications of ETS 181. In effect ratification of ETS 108 implies the existence of a functioning independent data protection authority meeting CoE standards. A number of the ratifying countries are not yet accredited to the International Conference. Accordingly, I merely signal the possibility of applications this year or next from:

- Bosnia and Herzegovina
- The Russian Federation
- Ukraine
- Croatia
- Albania.

They have all ratified in the last 18 months.

I have no knowledge of any of them (although I recall some attendance from Russia at the Berlin Group on occasion). Romania would in any case be a front runner in getting its act together as it is both an EU candidate country and has (I see from their website) had an active Data Protection law from 2001 (albeit administered by the Ombudsman until 1 January this year when their separate DPA started).

I presume that Croatia might be the second most likely given that they too are a candidate country.

Accordingly, we probably need to be alert to receiving some further applications, something I hadn't really anticipated. The lateness in the UK launching the conference website may mean that any such applications may come quite late. My timeline just anticipates one further Canadian application and one other surprise application. This may be a little daunting for the Committee but I must say that it could be quite invigorating for the conference itself if they join the conference ...

Regards

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Two tasks closer to the conference will be drafting our resolutions, annual reports and translating those.

I trust that this small stack take as to our current position is useful. I'm starting to worry a little that things won't be complete before I go on leave at the end of September and I think that could be quite awkward for you - I'd like to leave things by that point so that virtually everything is finished and you merely have to look out for unexpected events such as ultra-late applications.

Regards

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Blair Stewart

From: Blair Stewart
Sent: Wednesday, 12 July 2006 7:52 p.m.
To: François Cadieux (E-mail)
Subject: Credentials Update

Francois

We are now just four months out from the Conference and we have not made anything like the progress as a subgroup or Committee that I expected when I sent my rather hopeful message of 12 December 2005 mentioning tasks we needed to do.

There are reasons for our lack of progress, such as the uncertainty as to whether a conference would even happen in 2006 and non-cooperation by our colleague from Argentina and I do not attach blame to you (or indeed myself!). However, I wasn't expecting delays on the assessment of Estonia and Liechtenstein. As yet have no idea whether the Andorra application will cause difficulties (I thank you for stepping in at the last minute to take on the Andorran task from Juan Antonio).

I have received an application from Gibraltar, and will undertake a first assessment. I expect that we might receive an application from Romania, the only new national authority I am aware of, as well as those of several Canadian provincial authorities. The previous practice of the Committee would not have involved the Canadian Commissioner in the assessment of Canadian provincial authorities, leaving that to the other 2 members of the Committee, but that option is difficult with our effectively depleted Committee.

Two other considerations are:

- I will be away for all of October, and
- the conference website has not yet gone live (the delay means that we may get inconveniently late applications, which was a big problem last year)
- Northern Hemisphere holidays (does that affect you?).

The tasks in hand include completion of:

- your second assessment of Estonia (either to complete approval, or, if there are any issues of concern, those need to be clearly articulated for debate between us as soon as possible)
- your first assessment of Liechtenstein, then return the checklist to me so that I might complete the second assessment
- your first assessment of Andorra (specially challenging with the Andorran French and the copy of the law in Spanish), to then be passed on to me for a second assessment (if there are barriers to completing that first assessment, those issues should be identified quickly e.g. if we need translation assistance we might go back to the applicant or co-opt the assistance of, say, the Spanish Commissioner)
- my first assessment of Gibraltar.

I would like to urge that we try to complete all those tasks as quickly as possible as we have further tasks coming up.

If you anticipate that there will be Canadian provincial applications, you could perhaps encourage them to move quickly so that I might receive the applications and do the first assessment. I do not anticipate that there should be any particular difficulties in completing those assessments.

I have done a follow up enquiry to the Romanian Commissioner to find out if he intends to apply for accreditation. The UK hosts have no information on that score.

In addition to all this, is the planning for the transition of New Zealand off the committee. We've not discussed that at all so far but we need to turn our minds to it before long.

way this year it will be a smoother ride next year.

4 Liaison with host of 28th Conference

Given that we no longer have the host of the 28th conference on the Committee I have initiated a liaison process with the UK office. This will be firmed up before too long but it appears likely that Jonathan Bamford will be our contact point. This is a fortunate coincidence since Jonathan was previously a member of the Credentials Subgroup.

5 Planning for the future

It is early days yet, but during this year we ought to give some thought to the point at which NZ will transition off the Committee. I'm happy enough to continue to perform a secretariat role right up to the London Conference. However, an alternative that might serve the Committee better in the medium term might be to gear up to transfer that secretariat role to Canada during this year and prior to the London conference (I mention Canada as the host of the 2007 conference, that secretariat role thereby comfortably segueing into the following year).

If there are other things that people think the Committee/sub-group should be doing or discussing please let me know.

Regards

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Blair Stewart

From: Blair Stewart
Sent: Thursday, 20 April 2006 3:47 p.m.
To: Blair Stewart; François Cadieux (E-mail); Juan Antonio Travieso (E-mail)
Subject: International DPA Conference Credentials Subgroup Update

Importance: High

Colleagues

I've corresponded with each of you separately about work in hand but though it useful to provide an update so we can collectively see where we are at.

1 Applications in hand

We currently are processing 3 applications that were received too late to be dealt with before last September's conference. The following table summarises the position.

Accreditation Applications 2005/06

Received	Name	1st Assessor (date sent for assessment)	2 nd Assessor (date sent for assessment)
9/8/05	Liechtenstein DP Commissioner	Canada (12/12/05)	
10/8/05	Andorran Data Protection Agency	Argentina (12/12/05)	
16/9/05 (13/03/06)	Estonia Data Protection Inspectorate NZ	(12/12/05)	Canada

I am keen that we complete these applications promptly - the applicants have patiently waited for 7 months and will want to have an indication as to our likely recommendation before too long so that they can plan for their attendance at the London conference.

If either of you have encountered difficulties in completing these first assessments please get in touch - the reason NZ remains on the Credentials Committee is to share our experience of completing 70 or so assessments over the last 4 years with new members and I'm happy to help.

2 Deadline for applications

Now that the next conference (28th) is set for 2-3 November in London we can calculate the closing date for applications, 3 months before, as 2 August 2006.

3 Potential Applications

The Credentials Subgroup should anticipate likely applicants and encourage them to apply, if they plan to, sooner rather than later. Late applications can significantly hamper orderly processing. If either of you know of newly created DPAs who may wish to apply either let me know or contact them yourselves (if you contact them yourselves, please let me know that you've done so).

In this spirit I sent on 27 March 2006 suitable greetings from the Committee and an application form to the newly established Data Protection Authority for Romania.

One group of DPAs that we might particularly wish to consider are the small provincial authorities from Canada (e.g. Nunavut, PEI, Yukon). Although they have not attended the conference in the past, and may in general not intend to, I expect that they probably will want to attend in 2007 when it is hosted in Canada. If they get the accreditation out of the

Blair Stewart

From: Blair Stewart
Sent: Monday, 12 December 2005 1:33 p.m.
To: Blair Stewart; François Cadieux (E-mail); Juan Antonio Travieso (E-mail)
Subject: First message to Credentials Subgroup

Welcome to the first message to the Credentials Subgroup.

In addition to myself, we are:

- François Cadieux, from Canada
- Juan Antonio Travieso, from Argentina.

Obviously, Juan Antonio is also on the Committee: he has not designated another staff member for this task wishing instead to consider the applications himself at this stage.

Our main task is to process the applications (in conjunction with our respective Committee members where there are any issues raised). I say more about the current applications below. We usually have some other tasks as well. These tasks are not always apparent at the beginning of our term but two tasks I would mention now for later action include:

- we ought to identify likely applicants and proactively approach them in plenty of time to see if they intend to apply since otherwise there may be a last minute rush as there was last year (e.g. I understand that a new Romanian authority has been established);
- we will need to review the Committee's email box as we head towards NZ dropping off the Committee at the next conference (currently this address, credentials@privacy.org.nz, is at the NZ office).

The current applications we hold are:

- Estonian Data Protection Inspectorate (application in English, law available in English)
- Andorra Data Protection Agency (application in Andorran French, law in Spanish)
- Liechtenstein Data Protection Commissioner (application in English, law in English translation).

Since we have 3 applications we can each take one. I will send Juan Antonio the Andorran give that the law is in Spanish. Francois will get Liechtenstein and I'll keep Estonia. When you receive the documentation would you please assess the application against the accreditation criteria using the checklist supplied with my email of 28 October. Please fill in the checklist electronically with short comments and recommendations and return it to me. I will then recirculate the applications and checklists for the second assessment. Unless any problems emerge requiring a decision of the entire Committee you'll only need to assess 2 of the 3 applications each.

Any questions about the process etc. feel free to get in touch.

Regards

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