

## **Background Note**

### ***Process for Allowing Observers to Participate in the GPA Working Groups***

At its 2018 Annual Meeting, the GPA agreed a change in the Rules and Procedures to facilitate Observers' participation in the activities of the Working Groups on an ad hoc basis.

This is set out in Assembly's Rule 3.3 which states that 'Observers can be invited to participate in Working Groups on an ad hoc basis'

There are two ways whereby this process can be triggered:

#### **1. The Chair/Co-Chairs or a WG member wishes to invite a particular observer**

Where the Chair/Co-Chairs or a WG member wishes to invite a particular observer to participate to the activities of the Working Group, the Chair will circulate the proposal to the members of the WG and invite objections within a 10-day period. If one of the members wishes to object, they should do so in writing to the Chair, clearly stating the reasons for doing so, that is, including a short explanation of why they believe it would not be appropriate for the Observer to be allowed to participate in the activities of the Working Group. The Chair/Co-chairs should make their decision about whether to invite the Observer in a timely manner after the 10-day period has expired, with due consideration of the information received from the WG members. The Chair/Co-chairs will inform the Observer of the decision taken by the Working Group.

When making their respective decisions, WG Chairs and members should consider the Assembly's overall vision of being a forum aiming at creating an environment in which privacy and data protection authorities around the world are able to act effectively to fulfil their mandates through diffusion of knowledge and supportive connections, in a spirit of collaboration and inclusivity.

#### **2. An Observer asks to participate in one of the Assembly's Working Groups**

If an Observer wishes to be involved in a particular Working Group, they can send an expression of interest to the GPA Secretariat. The expression of interest should clearly outline the following:

- How the activities of the Observer are related or relevant for the work programme of the Working Group in question;
- The contribution the Observer would intend to make in the Working Group.

Upon receipt of an expression of interest, the GPA Secretariat shall forward it to the Chair/Co-Chairs of the Working Group who will initiate the process set out in section 1 (i.e. circulate the expression of interest in the Working Group and invite a 10-day objection period). The Chair/Co-chairs should make their decision about whether to invite the Observer in a timely

manner after the 10-day period has expired, with due consideration of the information received from the WG members.

If an objection to the Observer's participation in the working group is raised, the Chair/Co-Chairs of the Working Group shall consult with the GPA Secretariat about the next steps, including considering the referral of the Observer's application to the Executive Committee in cases where the reasons for not allowing an Observer's involvement in the activities of the Working Group are unable to be resolved with reasonable efforts within the Working Group itself.

In the event a final decision is made not to allow participation, the GPA Secretariat shall be responsible for informing the Observer of the outcome of its request.