

GUIDELINES AND PROCEDURES FOR CONFERENCE RESOLUTIONS

Adopted on 29 September 2000 during the 22nd International Conference of Privacy and Personal Data Protection held in Venice, 28-30 September 2000 and as amended on 25 September 2001 during the 23rd International Conference of Data Protection Commissioners held in Paris, 24-26 September 2001

The object of these guidelines and procedures is to ensure that:

- there is efficient use of limited conference time;
- the reputations of the International Conference and commissioners are protected;
- any resolutions are of the highest quality in terms of expression, usefulness and enduring international value.

Guidelines for Conference Resolutions or Common Positions

As these 4 guidelines are, for the most part, subjective they are not mandatory requirements. Proposed resolutions will not be refused inclusion on the agenda by the conference host for failure to meet any of them.

1. The content of any resolution should be suitable and of enduring value: Proponents should take care to ensure that matters raised are of sufficient importance to warrant the time of all commissioners. Consideration should be given to the usefulness of the resolution - will it offer useful and enduring guidance or contribute to public debate on important matters? Will the subject matter be divisive or unlikely to be adopted by consensus? The effort required to reach agreement would seem to be warranted if there was a continuing benefit internationally. Comments by way of resolution on matters of passing interest may tend to diminish the standing of the decisions agreed by such a process.
2. The drafting should be carefully prepared in advance: Proposing Commissioners, and their legal advisers, should carefully word resolutions to ensure that the meaning is clear and the resolution is concisely expressed. A statement should not be unduly long taking into account its subject matter.
3. Proposals should have the support of more than one country: Proposals should be submitted with the support of commissioners from several countries. This will ensure some trans-national consensus before the matter is put before all commissioners. The proposing commissioners should each satisfy themselves that the content is suitable and that the drafting is satisfactory. It is suggested some co-proposers with a variety of backgrounds (for example, including countries having different linguistic backgrounds and legal systems).
4. Commissioners must have opportunity to consider proposal in advance: Resolutions must be submitted in sufficient time by the proposer to enable the text to be circulated before the matter is to be discussed at the International Conference. It may be helpful to make translations and background notes available. Resolutions should be accompanied by a short supporting paper which sets out clearly the factual basis for the proposal and the reasons for the recommendation. It should also note the advantages the proposers see in the proposal and any disadvantages.

1 June 2003

Mandatory Procedural Requirements

Proposed resolutions will not be accepted by the conference host for submission to the conference unless:

1. The resolution has a proposer and the support of 3 other commissioners.
2. The resolution is received at least 2 weeks before the conference, or at such earlier date (not exceeding 1 month) notified by the conference host to all participating commissioners.

2 June 2003 3 June 2003

ADDENDUM TO GUIDELINES AND PROCEDURES FOR CONFERENCE RESOLUTIONS

At the 22nd Conference held in Venice in September 2000, commissioners adopted guidelines and procedures for Conference resolutions. The following addendum to the earlier resolution is adopted for future resolutions.

1. At the 24th International Conference the meeting of authorities shall first consider and approve or reject such recommendation as may be made by the Credentials Committee. Thereafter, resolutions may only be proposed and supported by accredited authorities (whether operating at the national or sub national level).
2. From the 24th International Conference only accredited authorities may vote on any resolution. A resolution can only be adopted when a majority of accredited authorities entitled to vote are present. As far as possible resolutions will be adopted by consensus rather than through a formal vote. When voting is necessary, only one vote may be cast on behalf of any country, and the resolution is adopted by simple majority of the countries present at the Conference. Where more than one delegate from any country is present at the Conference, the vote is to be cast by the national authority that must first consult the sub-national authorities of this country, which have in any case the possibility to make their positions known. If the national authority is not represented, the sub-national authorities of this country that are present at the Conference may agree how the vote is to be cast. Failing agreement the vote is forfeited. Authorities within an international or supranational body which have been duly accredited may attend and participate in meetings but will not be entitled to vote unless the conference has specially decided to grant them voting rights at the time of accreditation.
3. Resolutions proposed by the credentials committee for recognition of data protection authorities are to be circulated in advance of the Conference within the period of time provided in the guidelines and procedures for Conference resolutions adopted on September 29, 2000 in Venice. However in case of urgency the Conference may waive this requirement.