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ASSISTANT SUPERVISOR

Ms Maria ARSENE  
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Committee (Eesc)  
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Dear Ms Arsene,

On 19 October 2009 you sent the EDPS a notification for prior checking regarding personal data processing operations relating to "*Enregistrement sonore des réunions tenues dans les salles de conférences du CESE*" (audio recording) at the European Economic and Social Committee (Case 2009-0688). Having studied this in depth, we have concluded that as things stand at present, and considering the processing as notified to us, it is not subject to prior checking by the European Data Protection Supervisor (EDPS).

The processing was submitted to the EDPS for prior checking on the basis of Article 27.1 of Regulation (EC) No 45/2001: "*processing operations likely to present specific risks to the rights and freedoms of data subjects by virtue of their nature, their scope or their purposes (...)*" In the case in point, however, the EDPS considers that this would not be the case, provided that proper attention is paid by the data controller in complying with the Regulation.

Indeed, despite the fact that the present processing activity is not subject to prior checking, the EDPS would like to remind the controller that all the relevant obligations described in Regulation EC n°45/2001 must be respected. In this particular context, the EDPS has received a consultative request from the DPO of the EESC, in the light of Article 28.1 of the Regulation, dealing with the adoption of an internal *Reglementation* to address the specificities of audio recording at the EESC (Case 2009-0688). The EDPS is therefore addressing different relevant matters in the context of this consultation to ensure compliance with the Regulation.

Yours sincerely,

Giovanni BUTTARELLI