

REGISTER NUMBER: 201

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 10/04/2007

Case number: 2007-244

Institution: European Commission

Legal basis: article 27-5 of the regulation CE 45/2001⁽¹⁾

(1) OJ L 8, 12.01.2001

INFORMATION TO BE GIVEN⁽²⁾

(2) Please attach all necessary backup documents

1/ Name and adress of the controller

2) Name and First Name of the Controller:PAPADOPOULOS Basile

3) Title:Official

4) Directorate, Unit or Service to which the Controller is attached:.04

5) Directorate General to which the Controller is attached:AIDCO

2/ Organisational parts of the institution or body entrusted with the processing of personal data

26) External Company or Directorate General to which the Processor is attached:

25) External Company or Directorate, Unit or Service to which the Processor is attached:

3/ Name of the processing

EUROPA - Election Observation Roster

4/ Purpose or purposes of the processing

Ensuring finalisation of the selection procedure of observers that will participate in an EUEOM.

Explanation: Selection process is two-step: Focal points in Member States are required to propose a fixed number of observers for a given Observation mission (e.g. 3), matching some specific criteria for such a mission, and ranked by priority. So they do their own selection amongst their national candidates. Commission services (selection Committee) use these short lists to make final decision.

5/ Description of the category or categories of data subjects

14) Data Subject(s) concerned:

Member States individuals willing and able to participate to Election Observation Missions organised by the European Union in third countries. They have to comply to criteria as described in Annex IV of Council Decision 8728/99 - PESC 165 - COHOM 4

16) Category(ies) of Data Subjects:

Election Observers only.

6/ Description of the data or categories of data (including, if applicable, special categories of data (article 10) and/or origin of data)(*including, if applicable, special categories of data (article 10) and/or origin of data*)

17) Data field(s) of Data Subjects:

Attention: Please indicate and describe in the answer to this question also data fields which fall under article 10

A file has been attached to this question

18) Category(ies) of data fields of Data Subjects:

Attention: Please indicate and describe in the answer to this question also categories of data fields which fall under article 10

Name and address fields

Date and Place of Birth

ID Card / Passport N°

7/ Information to be given to data subjects

15a) Which kind of communication(s) have you foreseen to inform the Data Subjects as described in articles 11 - 12 under 'Information to be given to the Data Subject'

The "Data Subject" is informed by the Member States and by the EC about the existence of this database. The registration by the "Data Subject" him- or herself is mandatory. He/she receives confirmation messages and invitation messages by email.

Information on the roster and access to it is provided mainly by member States during training sessions they organise for potential observers. Detailed information is available on roster web site <http://ec.europa.eu/europeaid/observer>.

See also the Specific Legal Notice attached.

8/ Procedures to grant rights of data subjects (rights of access, to rectify, to block, to erase, to object) (*rights of access, to rectify, to block, to erase, to object*)

15b) Which procedure(s) did you put in place to enable Data Subjects to exert their rights: access, verify, correct, etc., their Personal Data as described in articles 13 - 19 under 'Rights of the Data Subject' :

As said in (a) the Data Subject has to register himself and receives at that moment an identifier. This identifier enables him to access, verify and modify his CV on-line via the web.

9/ Automated / Manual processing operation

7) Description of Processing:

Attention: Please describe in the answer to this question if you process personal data falling under article 27 "Prior-Checking (by the EDPS - European Data Protection Supervisor)"

This database contains CVs of candidate observers. The processing around consist of proposing candidate observers for an European Union Election Observation Mission EUEOM (proposed by the different Member States). Selection out of these proposals is done by the European Commission (AIDCO/04 and RELEX/B1).

8) Automated Processing operation(s):

No automated processing operations exist.

9) Manual Processing operation(s):

Data base exploitation is manual: The selection of observers is made by a selection Committee, using CVs and data extracted from the roster.

10/ Storage media of data

Oracle database at EC Data Center.

11/ Legal basis and lawfulness of the processing operation

11) Legal basis of Processing:

Council Decision 9262/98 - PESC 157 - COHOM 6. Guidelines - EU Policy on electoral observation.

12) Lawfulness of Processing:

Answering this question please also verify and indicate if your processing has to comply with articles 20 "Exemptions and restrictions" and 27 "Prior checking (by the EDPS)"

Processing is necessary for the performance of the Council Decision 9262/98 above mentioned.

Checking of candidates is systematically done by some Focal Points Members states (which can organise interviews, and check languages skills, professional background and experience), some others don't.

The Commission systematically evaluate observers after each mission. Evaluations are stored in the system and can be accessed by the concerned observer and his/her concerned Government. Both of them can also add their comments to the evaluation made by the Commission.

ART. 27.2 (b) of Regulation 45/23001, therefore, applies.

12/ The recipients or categories of recipient to whom the data might be disclosed

20) Recipient(s) of the Processing:

Focal Points and Observers from the different Member States

Commission staff dealing with Election Observation (RELEX B1 and AIDCO 04)

21) Category(ies) of recipients:

Officials and Contractual Agents.

13/ retention policy of (categories of) personal data

Data are kept for five years, measured from the day that the individual has last updated them (see also privacy statement, attached to Q 15 above)

13 a/ time limits for blocking and erasure of the different categories of data (on justified legitimate request from the data subject) (Please, specify the time limits for every category, if applicable)
(on justified legitimate request from the data subject)
(Please, specify the time limits for every category, if applicable)

22 b) Time limit to block/erase data on justified legitimate request from the data subjects

Data Subjects can erase their CVs themselves.

14/ Historical, statistical or scientific purposes

If you store data for longer periods than mentioned above, please specify, if applicable, why the data must be kept under a form which permits identification,

22 c) Historical, statistical or scientific purposes - If you store data for longer periods than mentioned above, please specify, if applicable, why the data must be kept under a form which permits identification

15/ Proposed transfers of data to third countries or international organisations

27) Legal foundation of transfer:

Only transfers to third party countries not subject to Directive 95/46/EC (Article 9) should be considered for this question. Please treat transfers to other community institutions and bodies and to member states under question 20.

Not applicable.

28) Category(ies) of Personal Data or Personal Data to be transferred:

Not applicable.

16/ The processing operation presents specific risk which justifies prior checking (please describe): *(please describe)*:

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Article 27.2.(a) Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,

n/a

Article 27.2.(b) Processing operations intended to evaluate personal aspects relating to the data subject,

Art.27.2 b) Processing operations intended to evaluate personal aspects

Article 27.2.(c) Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,

n/a

Article 27.2.(d) Processing operations for the purpose of excluding individuals from a right, benefit or contract,

n/a

Other (general concept in Article 27.1)

n/a

17/ Comments

1) Date of submission:

10) Comments if applicable:

36) Do you publish / distribute / give access to one or more printed and/or electronic directories?

Personal Data contained in printed and/or electronic directories of users and access to such directories shall be limited to what is strictly necessary for the specific purposes of the directory.

If Yes, please explain what is applicable.

yes

See information provided in the privacy statement (Q 15 above)

37) Complementary information to the different questions if applicable, including attachments to this notification which should not be public :

PLACE AND DATE:10/04/2007

DATA PROTECTION OFFICER: RENAUDIERE Philippe

INSTITUTION OR BODY:European Commission