

REGISTER NUMBER: 354

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 03/04/2008

Case number: 2008-202

Institution: European Parliament

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 address of the controller
Emilio De Capitani, RMD 04J034, Brussels, tel.: 43508

2/ Organisational parts of the institution or body entrusted with the processing of personal data
LIBE Committee, DG Internal Policies, Brussels

3/ Name of the processing
Selection procedure for members of FRA Scientific Committee

4/ Purpose or purposes of the processing
Consideration of candidates for appointment to the Scientific Committee of the Fundamental Rights Agency.

5/ Description of the category or categories of data subjects
Candidates for a post as a member of the Scientific Committee of the Fundamental Rights Agency

6/ Description of the data or categories of data (*including, if applicable, special categories of data (article 10) and/or origin of data*)
Data used to evaluate personal aspects of data subject (ability, efficiency, reliability or conduct), concerning the data subject's career in the form of CVs of candidates

7/ Information to be given to data subjects

To be determined

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

In general, implementing rules relating to Regulation (EC) No 45/2001 contained in the Bureau decision of 22 June 2005 provide for the rights of data subjects in Articles 8 - 13. Specifically, The LIBE Committee intends to ask the short listed candidates for their consent to publish data about them (names of candidates, their CVs and the result of the vote). Non-consent on the part of any of the candidates will lead to non-publication of personal data.

9/ Automated / Manual processing operation

Manual processing of a structured set of data accessible according to given criteria

10/ Storage media of data

Hard copies

11/ Legal basis and lawfulness of the processing operation

Regulation (EC) no. 168/2007, in particular Article 14

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

MEPs and their assistants (members of the LIBE committee), staff in LIBE committee secretariat and of the political groups and other persons present during a LIBE meeting (open to public).

13/ retention policy of (categories of) personal data

6 months (from the date of the meeting of the LIBE committee when the candidacies are considered)

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)

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,

Not applicable

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

None

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

AS FORESEEN IN:

Article 27.2.(a)

Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,

Article 27.2.(b)✓

Processing operations intended to evaluate personal aspects relating to the data subject,

Yes

Article 27.2.(c)

Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,

Article 27.2.(d)

Processing operations for the purpose of excluding individuals from a right, benefit or contract,

Other (general concept in Article 27.1)

17/ Comments

The LIBE Committee intends to make public the names of the candidates, their CVs and result of the vote; therefore for purposes of personal data protection of the candidates the short listed candidates must be asked for their consent to publish this data. A lack of consent of any of the candidates shall lead to protecting of his personal data. The LIBE Committee notes that the procedure is subject to prior checking by the European Data Protection Supervisor and is willing to follow any recommendations the Supervisor may make in the context of this check.

PLACE AND DATE: Luxembourg, 03 April 2008

DATA PROTECTION OFFICER: Jonathan Steele

INSTITUTION OR BODY: European Parliament