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(Announcements)

ADMINISTRATIVE PROCEDURES

COMMISSION

Vacancies of the European Data Protection Supervisor and the Assistant Supervisor**COM/2008/10070**

(2008/C 126 A/01)

Background

The positions of the European Data Protection Supervisor (Supervisor) and Assistant Supervisor are provided for by Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data ⁽¹⁾. This Regulation lays down a series of principles to which the processing of personal data by the Community institutions and bodies is subject. It furthermore sets up an independent supervisory authority, entitled the European Data Protection Supervisor. This authority is entrusted with ensuring the application of the provisions of the Regulation whose goal is to ensure that the Community institutions and bodies comply with the fundamental rights and freedoms of individuals, and in particular their right to privacy, with regard to the processing of personnel data. The Supervisor is assisted by the Assistant Supervisor.

The general budget of the European Union for 2008 has made a provision for a total budget of EUR 5,3 million ⁽¹⁾ and for a total of approximately 30 staff.

The regulations and general conditions governing the performance of the duties of the European Data Protection Supervisor and Assistant Supervisor, and in particular their salaries, allowances and any other benefit in lieu of remuneration are laid down by common accord by the European Parliament, the Council and the Commission in Decision No 1247/2002/EC of 1 July 2002 ⁽²⁾, following which the European Data Protection Supervisor shall be on a par with a judge of the Court of Justice of the European Communities in this respect and the Assistant Supervisor shall be on a par with the Registrar of the Court of Justice.

The European Data Protection Supervisor and the Assistant Supervisor have their seat in Brussels.

The present description of the tasks of the European Data Protection Supervisor and the Assistant Supervisor are based on the current legal framework. These tasks may evolve in case the legal framework were revised, in particular following the possible entry into force of the Treaty of Lisbon.

⁽¹⁾ OJ L 8, 12.1.2001, p. 1.

⁽²⁾ OJ L 183, 12.7.2002, p. 1.

Job description

The European Data Protection Supervisor and Assistant Supervisor are entrusted with monitoring and applying the provisions of Regulation (EC) No 45/2001, to this end they shall fulfil the duties provided for and exercise the powers granted therein. Additionally, they are also entrusted with advising Community institutions and bodies and data subjects on all matters concerning the processing of personal data.

In general terms, the European Data Protection Supervisor is responsible for ensuring that the fundamental rights and freedoms of natural persons, and in particular their right to privacy, are respected by the Community institutions and bodies with respect to the processing of personal data. He or she should monitor and ensure the application of the provisions of the Regulation and any other Community act relating to the protection of the fundamental rights and freedoms of natural persons with regard to the processing of personal data by a Community institution or body.

The Assistant Supervisor assists the Supervisor in all the latter's duties and acts as his or her replacement when he or she is absent or prevented from attending to them.

The tasks of the Supervisor and the Assistant Supervisor can be described as follows:

- to advise the Community institutions and bodies on all matters concerning the processing of personal data as well as to monitor relevant new developments in the area of information and communication technologies, in so far as they have an impact on the protection of personal data,
- to handle complaints, the Supervisor shall hear and investigate complaints, and inform the data subject of the outcome,
- to conduct inquiries either on his or her own initiative or on the basis of a complaint, and inform the data subjects of the outcome,
- to participate in networks of supervisory authorities: the Supervisor shall cooperate with the national supervisory authorities in the whole EEA to the extent necessary for the performance of their respective duties, and participate in the activities of the Working Party on the Protection of Individuals with regard to the Processing of Personal Data set up by Article 29 of Directive 95/46/EC. ⁽³⁾ The Supervisor also cooperates with the supervisory data-protection bodies established in the context of police and justice cooperation within the Union particularly with a view to improving consistency in applying the respective data protection rules and procedures,
- to manage exceptions, safeguards, authorisations and conditions for data-processing operations,
- to manage the registration and prior checking of processing operations,
- to control the transfer of data to recipients, other than Community institutions and bodies, which are not subject to Directive 95/46/EC (which provides for a harmonised level of protection within the Union),
- to represent the Office in litigations before the Court of Justice,
- to operate as data-protection supervisory authority for 'Eurodac' — system ⁽⁴⁾; which assists Member States in determining who is competent for asylum applications and to facilitate the application of the Dublin Convention; namely to ensure that the rights of data subjects are not violated by the processing or use of the data and to monitor the lawfulness of the transmission of personal data to the Member States by the central unit,

⁽³⁾ OJ L 281, 23.11.1995, p. 31.

⁽⁴⁾ Council Regulation (EC) No 2725/2000 of 11 December 2000 (OJ L 316, 12.1.2001, p. 1).

- to operate as data-protection supervisory authority under the Visa Information System (VIS) ⁽⁵⁾ and the Second Generation Schengen Information System (SIS II) ⁽⁶⁾.

Selection criteria

Candidates **must** have:

- the experience and skills required to perform the duties as EDPS for example because they are or have been a member of a supervisory authority in a Member State responsible for monitoring the application of Directive 95/46/EC on the protection of individuals with regard to the processing of personal data and on the free movement of such data,
- a good knowledge of Community policies in the area of data protection as well as practical experience in the assessment of their impact on European citizens, enterprises and public administrations,
- the ability to act with the required independence,
- actual experience in communication and networking, in order to represent the Office of the European Data Protection Supervisor at the highest levels and to develop the relationship of the European Data Protection Supervisor with stakeholders in EU institutions, Member States, third countries and other international organisations.

Furthermore it would be **desirable** for candidates to have:

- hands-on experience with regard to implementation of and ensuring compliance with data protection rules, preferably acquired in large-scale private or public sector organisations,
- the ability to develop and communicate a vision, to think in global terms of systems and processes, and to propose concrete recommendations and practicable solutions,
- high-level management experience and necessary leadership skills to manage a highly specialised team of data-protection experts and its budget, as well as a diverse community of stakeholders,
- good knowledge of English or French in view of the requirements of internal and interinstitutional communication.

Eligibility criteria

1. Be a citizen of one of the Member States of the European Union.
2. Hold a university degree that gives access to undertake postgraduate studies.
3. Have at least 15 years' professional experience following the date on which the qualification in point 2 was obtained. This experience must be of a kind appropriate to the level of that qualification. At least five years of that professional experience must have been gained in a management function at high level ⁽⁷⁾.
4. Have a thorough knowledge of one of the official languages of the European Union (main language) and a satisfactory knowledge of at least another official language (second language). Applicants must indicate in their applications which is their main language and which language they wish to be treated as their second language.

⁽⁵⁾ See proposal for a Regulation of the European Parliament and of the Council concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (COM(2004) 835 final).

⁽⁶⁾ See proposal for a Council Decision on the establishment, operation and use of the second generation Schengen information system (SIS II) (COM(2005) 230 final).

⁽⁷⁾ In their CVs applicants should indicate at least for these five years during which high-level management experience has been acquired: (1) title and role of management positions held; (2) numbers of staff overseen in these positions; (3) the size of budgets managed; and (4) numbers of hierarchical layers above and below and number of peers.

Recruitment policy

The European Union applies an equal opportunities policy.

Appointment procedure

The European Parliament and the Council appoint by common accord the European Data Protection Supervisor and Assistant Supervisor for a term of five years on the basis of a list drawn up by the Commission following a public call for candidates.

Applicants are invited to submit an application, accompanied by a detailed curriculum vitae and a motivation letter in support of their application, each of no more than four typed pages, and photocopies of the supporting documents. Unless otherwise specified by the candidates, applications will be considered to be for both posts, European Data Protection Supervisor and Assistant Supervisor. Each application will be examined according to the procedure for filling both posts. The list of candidates shall be public.

Parts of the selection procedure will be conducted in one of the working languages of the Commission (DE, EN, FR).

The final date for submitting applications is **24 June 2008**.

Contact: Renaud Denuit, renaud.denuit@ec.europa.eu

Address for applications

Please register your application at:

http://ec.europa.eu/dgs/personnel_administration/working_senior_mgt_edps_en.htm

http://ec.europa.eu/dgs/personnel_administration/working_senior_mgt_edps_fr.htm

http://ec.europa.eu/dgs/personnel_administration/working_senior_mgt_edps_de.htm

The closing date for registration is **24 June 2008**. Online registration will not be possible after 12.00 (noon), Brussels time, on that day.
