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European Commission  
BRU-SPA2 08/020  
1049 Brussels

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**Subject: Commission Recommendation on Data Protection Guidelines for IMI**

Dear Mr. Holmquist,

Thank you for your letter of 26 March 2009 in which you sent us the final version of the Commission Recommendation on the Data Protection Guidelines for IMI. As agreed in our exchange of letters last year, we regard the formal adoption of these Guidelines in the form of a Commission Recommendation an important step towards ensuring a more complete implementation of the necessary data protection safeguards in IMI.

As agreed, we assisted you and supported you in your efforts to draft the recommendation, with the aim of addressing the specific data protection concerns specified by the Article 29 Working Party and the EDPS in our respective opinions on IMI<sup>1</sup>. We would like to thank your team for their efficient cooperation with our staff and look forward to our continued cooperation following a step-by-step approach, with the perspective of a more complete legal basis for IMI to be developed as soon as reasonably possible.

As we have discussed with your services our remaining concerns in detail at staff level, and since the development of many aspects of IMI is still ongoing, we do not see the need, at this stage, to formally react on the Guidelines by way of an opinion. However, at a later stage we do not exclude that we will comment formally on the data protection aspects of IMI.

Yours sincerely,

(signed)

Peter HUSTINX

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<sup>1</sup> See WP 140 of 20 September 2007 and the EDPS Opinion of 22 February 2008.