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Mr Hubert SZLASZEWSKI  
Director  
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BRU-BERL 06/360  
B-1049 Brussels

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Dear Mr Szlaszewski,

Thank you very much for your note (SG/B1/PL/jh/ D(2010)) regarding the EDPS Comments on the Commission policy on the internal use of e-mail.

We take note of the fact that the Commission does not conduct large scale monitoring at an individual level. Indeed, in your letter you have expressed that "*[t]he only form of routine monitoring that takes place by the email service of the Commission (DG DIGIT) is at the DG/service level and not at the level of individual mailboxes or individual traffic data level. DG DIGIT monitors the usage in order to reduce operational threats, but no routine reports are produced that monitor individual mailbox activity or provide any individual traffic data that can be used for analysis of individual abuse*". This implies that any individual mailbox monitoring could only take place as part of an ongoing investigation. We welcome this approach which we consider to be best practise.

Regarding message storage, the recommendation of the EDPS intended to include any back up copies that might exist. We therefore request you to analyse your practise in the light of this clarification.

Finally, we would like to ask you to keep us informed about the development of a methodology and procedures for encryption, as well as the implementation of a specific procedure for third parties to access email boxes of staff members in the event of death, prolonged absence or departure from the institution.

Yours sincerely,

(signed)

Giovanni BUTTARELLI