

*(To be filled out in the EDPS' office)*  
**REGISTER NUMBER: 1380**

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**NOTIFICATION FOR PRIOR CHECKING**

**DATE OF SUBMISSION: 06/06/2016**

**CASE NUMBER: 2016-0505**

**INSTITUTION: EC - DG NEAR**

**LEGAL BASIS: ARTICLE 27-5 OF THE REGULATION CE N° 45/2001<sup>(1)</sup>**

**INFORMATION TO BE GIVEN<sup>2</sup>**

1/ NAME AND ADDRESS OF THE CONTROLLER

CONTROLLER : GERSTBREIN HEIKE

E-MAIL:

DELEGATE : GOZZI PAOLO

E-MAIL: [Paolo.Gozzi@ec.europa.eu](mailto:Paolo.Gozzi@ec.europa.eu)

2/ ORGANISATIONAL PARTS OF THE INSTITUTION OR BODY ENTRUSTED WITH THE PROCESSING OF PERSONAL DATA

THE EUROPEAN COMMISSION  
DG NEAR - DIRECTORATE C.3

3/ NAME AND DESCRIPTION OF THE PROCESSING

NAME: EU High Level Advisers Programme in Moldova

The purpose of the EU High Level Advisers Programme in Moldova is to draw on the experience of long standing senior officials with expertise in leading sectoral public policies and/or in managing public bodies in a Member State (MS); with a view to helping the beneficiary country to meet the commitments it has made in connection with European Union related agreements.

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<sup>1</sup> OJ L 8, 12.01.2001.

4/ PURPOSE OR PURPOSES OF THE PROCESSING, AND PROCESSORS

In order implement the EU High Level Advisers Programme in Moldova with a view to help the beneficiary country to meet the commitments it has made in connection with European Union related agreements; personal data relating to potential EU MS High Level Advisers is collected and processed by the IBU. In this respect the following data are collected: CVs, cover notes and any supporting documents of the candidates which is comprised of personal data excluding the bank details of the candidates. The personal data of MS NCPs are not included in this notification as they are already covered by the Notification DPO-1251.6 for the TAIEX instrument and the Notification DPO-1248.5 for the Twinning instrument. The data are processed by IBU in the sense of Article 27.2 (b) of Regulation 45/2001.

PROCESSORS:

The programme manager and other staff members of the Institution Building Unit, TAIEX Twinning (IBU) of DG NEAR assigned to work on EU High Level Advisers Programme in Moldova; IBU's National Contact Point (NCP) in each MS; the Interview panels established in the EU Delegation to Moldova in Chisinau; representatives of the beneficiary administrations in Moldova.

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

Data subjects concerned are: Candidates who have applied through their MS NCPs for the available posts of EU High Level Advisers in Moldova.

6/ DESCRIPTION OF THE DATA OR CATEGORIES OF DATA (*including, if applicable, special categories of data (Article 10) and/or origin of data*).

A full up to date CV, consisting of the following data fields: name; address; contact details; email address; nationality; work experience; education and training; personal skills; communication skills; organisational / management skills; job-related skills and digital competence. A cover note and any supporting documents submitted by the candidates applying for the available posts of EU High Level Advisers in Moldova, will also contain similar information to that required in the CV.

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

All mandatory information as per Article 11 of Regulation (EC) 45/2001 is included in the Privacy Statement for the EU High Level Advisers Programme in Moldova. The processing of personal data not obtained from the data subject (or through their institution of origin, with their agreement) is not envisaged; as such the provisions of Article 12 of Regulation (EC) 45/2001 are not applied to the privacy statement.

## 8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

Access to personal data by the data subject is provided as follows: Data subjects can send a request by email to (NEAR-EU-HIGH-LEVEL-ADVISERS@ec.europa.eu) to consult data related to him/her and ask for its rectification or blocking. Data subjects may also demand erasure of data if their processing is unlawful. Requests will be responded to within a period of three months. Any person who signs a contract with the service provider for the EU High Level Advisers Programme in Moldova may not have their data deleted, due to the necessity to retain a financial audit trail.

## 9/ AUTOMATED / MANUAL PROCESSING OPERATION

In order to establish the EU High Level Advisers Programme in Moldova the IBU is launching a first call for applications for senior qualified professionals with significant experience in leading sectoral public policies and/or in managing public bodies at the highest level in a MS. Twenty five posts are currently available and additional ones may be added later; moreover, additional calls may be necessary in cases where the first call or subsequent calls are not successful. The successful candidates will be remunerated if they are selected through a contractual relationship that they will need to enter into with a service provider which will be selected through a tender process issued by the EU Delegation to Moldova. In the first instance IBU's MS NCPs will be asked to circulate the job descriptions of the available positions to appropriate services and administration in their respective MS. The applications, consisting of the Curriculum Vitae (CV) of the expert, accompanied by a cover note indicating the position that is applied for and, possibly, some motivational considerations will be collected by the NCPs. The NCPs should check the applicants' credentials and verify that the Curricula Vitae (CVs) meets the minimum criteria as indicated in the job descriptions. Those applications cleared by the NCP should be sent to a functional mailbox established by IBU for the programme. The CVs, cover notes, any supporting documents and an Excel summary list of candidates will be saved on the G Drive of DG NEAR, with access limited to the programme manager, a secretary in charge of the filing and the Head of IBU. Following the expiration of the deadline for applications, the CVs will be evaluated by panels comprising of the programme manager and selected IBU staff members depending on the expertise being evaluated. The shortlisted CVs, cover notes and supporting documents will then be sent to the EU Delegation to Moldova for interviews to be held with the selected candidates. The CVs of the successful candidates will be presented to the respective Moldovan administrations for final endorsement. The CVs, cover notes and any supporting documents of those candidates not shortlisted will be deleted at the end of the evaluation process. The CVs, cover notes and any supporting documents of those candidates who were not successful at the interview stage or who were shortlisted but not interviewed will be retained and may be utilised again, in cases where vacancies arise.

## 10/ STORAGE MEDIA OF DATA

The relevant CVs, cover notes and any supporting documents of the proposed experts will be sent by the MS NCPs to a functional mailbox established for the programme. The CVs, cover notes and any supporting documents will be electronically stored in a folder on the G Drive of DG NEAR, whose access is limited to the programme manager, a secretary in charge of the filing and the Head of IBU. An Excel summary sheet including the names and the position applied for will be kept in the same folder and will be updated by the programme manager. The electronic copies of emails will also be stored on the G Drive of DG NEAR and will be archived, along with the CVs, cover notes and any

supporting documents of the shortlisted applicants in compliance with the DG NEAR Archive Plan. All documents sent to the EU Delegation to Moldova will be filed and maintained by the Delegation. The folders stored on the DG NEAR G Drive are held on servers under the responsibility of DG DIGIT. Security patches and upgrades are installed by the Digit team to keep the server protected against intrusion and malicious access. The server is installed in a secure server room to which only a limited number of persons have access. The server room is protected by fire detection and intrusion detection systems.

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument; and Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11.3.2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action. The processing of the personal data is lawful and necessary under articles 5(a), 5(c) and 5(d) of Regulation 45/2001. No processing of personal data falling under Article 10 of Regulation (EC) N°45/2001 will be carried out. The data will in particular be processed in compliance with Article 4.1 (b) of Regulation (EC) N° 45/2001. The processing of personal data falls under Article 27.2 (b) and has therefore been "Prior-Checked" by the EDPS.

12/ THE RECIPIENTS OR CATEGORIES OF RECIPIENT TO WHOM THE DATA MIGHT BE DISCLOSED

The programme manager and the IBU staff selected to assist with the evaluation process will have access to the full CVs of the candidates. The shortlisted CVs will be transferred to the EU Delegation to Moldova in line with Articles 7.1 and 7.2 of Regulation (EC) 45/2001.

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

The personal data of all shortlisted candidates will be electronically retained in IBU for a period of seven years following the conclusion of the contract entered into between the EU Delegation to Moldova and the service provider contracted to run the EU High Level Advisors in Moldova Programme, to allow for historical, statistical and reference purposes. This also applies to any photos / pictures, presentations, live web streaming and/or audio and video recording of the EU High Level Advisors Programme in Moldova. Following this period of time the personal data will be encrypted. The decoding of these files will require the agreement of the Controller and each request will be logged. In cases where the Controller agrees the personal data will be decoded for use by the requesting person or organisation. Prior to the data being re-encrypted a copy of the relevant part of the log will be added to the decoded file. The data will be transferred to the archives of DG NEAR for a period of ten years following their delivery to the Document Management Office. The date of delivery to the archives is dependent on the date of closure (including the period of grace to conclude all outstanding transactions) of the EU High Level Advisors Programme in Moldova as regulated by the EC's Financial Regulations. Following this period the files containing the data will either be deleted or transferred to the EC's Historic Archive.

13 A/ TIME LIMIT TO BLOCK/ERASE ON JUSTIFIED LEGITIMATE REQUEST FROM THE DATA SUBJECTS

Requests will be responded to within a period of three months.

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.*

The data are retained for historical purposes in the original format that they were received in for general reference and statistical purposes.

15/ PROPOSED TRANSFERS OF DATA TO THIRD COUNTRIES OR INTERNATIONAL ORGANISATIONS

The CVs of the selected experts will be presented to the respective Moldovan administrations by the EU Delegation to Moldova for final endorsement. In addition to this, the CVs of all shortlisted candidates will be passed to the service provider which will be selected through a tender process issued by the EU Delegation to Moldova. The transfer of the data in this respect is undertaken in line with Articles 9.6 (a) and (c) of Regulation (EC) 45/2001.

16/ THE PROCESSING OPERATION PRESENTS SPECIFIC RISK WHICH JUSTIFIES PRIOR CHECKING

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

17/ COMMENTS

None

PLACE AND DATE: BRUXELLES, 06.06.2016

DATA PROTECTION OFFICER: RENAUDIÈRE PHILIPPE

INSTITUTION OR BODY: THE EUROPEAN COMMISSION