

From: [REDACTED]
To: [REDACTED]; dpo
<dpo@frontex.europa.eu>
European Data Protection Supervisor
CC: <EDPS@edps.europa.eu>; [REDACTED]
[REDACTED]
Sent at: 09/01/17 17:13:00
Subject: [2017-0007] FAR: some questions for clarification

Dear [REDACTED],

I hope this message finds you well. I'm coming back to you with some questions for clarification on the FAR notification:

- 1) Data fields: the notification mentions that the data fields for returnees are those from the contact list plus the additional ones listed there. Do you also have phone numbers / e-mail addresses of returnees, as this seems to imply?
- 2) Conservation period/anonymisation: the notification (field 13) states that personal data will automatically be anonymised at the end of the conservation period.
 - a. I guess this means eliminating some data fields (name etc.), but keeping other fields for use in statistics. Could you please explain more (which fields are removed, other possible measures [e.g. aggregating dates of birth to only have information on age groups])?
 - b. Does this apply only to returnee data, or to all categories of DS? I guess that information on those MS staff who have an account in FAR will be kept for as long as the account exists (related: do all MS staff involved in a return operation necessarily have a FAR account? E.g. escorts, medical personnel...)
 - c. The notification mentions one year in RSU archives and subsequent archiving for paper files, noting that these do not include personal data of returnees - are there other personal data processed for FAR in there?
- 3) Information to DS: in case not all persons in the contact list have a FAR account, how are those who do not have an account informed about the processing of their personal data (e.g. airline contact point, broker)?
- 4) Security: Please provide additional documentation about the security risk management process in place for FAR (whether complete analysis / information security risk assessment, or standard Frontex assessment + gap analysis)
- 5) Please explain the relationship between IRMA and FAR - is FAR part of IRMA?
- 6) True/ex-post: the notification also refers to the now repealed old Frontex Regulation, while your cover message refers to FAR as a "planned processing operation"
 - a. Please confirm whether this is a true or an ex-post notification;
 - b. If "true", do I assume correctly that the *currently* used tools are still the ones notified under EDPS case 2009-0281 (JRO), as further explained during the inspection (2014-0273)?

Please note that in accordance with Article 27(4) of Regulation (EC) 45/2001, the case is suspended until receipt of the replies. Please put the functional mailbox (edps@edps.europa.eu) in copy and mention case number 2017-0007, as the date of receipt there is the only date that will be taken into account for lifting the suspension.

Thank you for your cooperation!

Best regards,



European Data Protection Supervisor
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