



JOAQUIN BAYO DELGADO
ASSISTANT SUPERVISOR

Mr Morten Kjaerum
Director
European Union Agency for
Fundamental Rights
Rahlgasse 3
1060 Vienna
AUSTRIA

Brussels, 19 November 2008
JBD/IC/kt D(2008)1700 C 2008-0643

Private and Confidential

Dear Mr Kjaerum,

I am writing to you regarding a complaint subject to investigation under Article 46 of the Regulation 45/2001 by the European Data Protection Supervisor (EDPS).

(the complainant) raises the issues of personal data transfers to a number of recipients within the European institutions and bodies as well as to external third parties that took place in the course of 2007 in the context of an investigation concerning

According to the complainant, details of his personal file were transferred to a number of persons within the European institutions and bodies as well as to external bodies. Such information included details of his professional qualifications and professional experience, as well as the complainant's response dated June 21, 2007 to an investigation taking place within your organization concerning

The complainant claims that personal data relating to him were transferred to, at least, the following recipients:

- DG ADMIN
- DG JLS
- IAS
- The Court of Auditors
- The FRA Task Force
- Maître (lawyer)
- (external media consultancy)

In light of the above, I would appreciate clarification on the following issues:

- i. Could you please inform us whether personal data of the complainant have been transferred to any of the above-mentioned recipients and/or any other institutions

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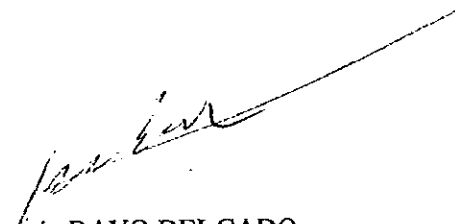
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and/or external organizations? If so, could you please specify which personal data have been communicated to which recipient? Please provide us with copies of any letters, electronic communications, or other documents.

- ii. Could you also please inform us on the legal basis upon which personal data have been transferred to each recipient, in accordance with Regulation (EC) No 45/2001? Please distinguish between transfers to other European institutions and to external third parties. In relation to other European institutions, are the terms of cooperation with Community bodies the basis for the transfer of personal data to other institutions? Please provide us with copies of such documents.

I would appreciate a response to the issue raised within six weeks of receipt of this letter. Should you require any further clarification, please do not hesitate to contact me. Should you wish any information in your response to remain confidential, please indicate this in your response and give reasons for it.

Yours sincerely,



Joaquín BAYO DELGADO

Cc.

the complainant