

ARTICLE 29 Data Protection Working Party



Brussels, 2 April 2013

Françoise Le Bail
Director General
Directorate General Justice
European Commission
B – 1049 Brussels

Dear Ms Le Bail,

Thank you for your letter of 26 March 2013 concerning the publication, by the Commission, of letters from the Article 29 Working Party on the page set aside for Working Party matters on the website of the Commission (DG Justice).

I agree with your analysis that statements made during meetings by officials employed by the European Commission, should be attributed to and referenced as statements from the Commission. The Commission is – as an institution- politically responsible for all statements made on its behalf. It is in my view improper to appeal to data protection safeguards to avoid a public response of the Article 29 Working Party to these statements. The Commission should also in such cases be prepared to take responsibility for any statement made, politically and publicly.

In the specific case at hand, I requested the publication of the attached letter to the LIBE committee, dated 21 December 2012. As you will see, reference is only made to statements made on behalf of the European Commission, without mentioning the name or the function of the official who made the statement. I therefore trust that there are no further objections to the publication of this letter.

Yours sincerely,

Jacob Kohnstamm
Chairman

This Working Party was set up under Article 29 of Directive 95/46/EC. It is an independent European advisory body on data protection and privacy. Its tasks are described in Article 30 of Directive 95/46/EC and Article 15 of Directive 2002/58/EC.

The secretariat is provided by Directorate C (Fundamental Rights and Union Citizenship) of the European Commission, Directorate General Justice, B-1049 Brussels, Belgium, Office No LX-46 01/190.

Website: http://ec.europa.eu/justice/policies/privacy/index_en.htm