



PCC SEE

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From: PCC SEE Secretariat

To: Expert Working Group

Subject: Report on the Meeting of the Ad Hoc Working Group on Data Protection

This document has been prepared by the Police Cooperation Convention for Southeast Europe Secretariat.

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The first meeting of the Ad Hoc Working on Data Protection was convened from 24 till 26 April 2010 in Ljubljana. This Working Group is the only one with its own Rules of Procedure (adopted by the Committee of Ministers on 17 November 2009 in Brussels) and are thus legally binding.

Representatives from Albania, Bosnia and Herzegovina, Bulgaria, Macedonia, Moldova, Montenegro, Romania and Serbia attended. The delegations consisted of one representative from the respective Ministry of Interior and one from the respective Independent Data Protection Authority. Experts from Europol, the Data Protection Commissioner of Saxony, the Information Commissioner of the Republic of Slovenia and the Criminal Police Directorate of the Republic of Slovenia, were present throughout the meeting and guided the participants.

The meeting, chaired by Mr. Anton Travner, Head of PCC SEE Secretariat, and co-chaired by Ms. Snezhana Maleeva, Head of Department at EU and International Cooperation Directorate within the Bulgarian Ministry of Interior, presented an opportunity for the Contracting Parties to exchange the state of play in the area of data protection in their respective countries and determine the future steps to be taken. Throughout the meeting it was emphasized how important mutual evaluations in the area of data protection are for the region.

Several presentations on evaluations in the field of data protection were held with the aim to give the participants an in-depth view of the process, contents and requirements of such evaluations as well as an understanding about the role and working arrangements of the Ad Hoc Working Group on Data Protection. Mr. Bernhard Bannasch, the Deputy Data Protection Commissioner of the Free State of Saxony, held a presentation on the European Data Protection Supervisor, confirming how high data protection is on European level. Mr. Pelopidas Donos, First Officer within Europol's Data Protection Office, presented the state of play regarding the execution of data protection evaluations made by Europol in Southeast Europe. Ms. Nataša Pirc Musar, Information Commissioner of the Republic of Slovenia, with her experience in the Schengen evaluation, portrayed the requirements the Contracting Parties will need to fulfil and the issues which must be accurately addressed. Ms. Alenka Jerše, General Secretary of the Information Commissioner, afterwards presented the contents of the Schengen evaluation in the area of data protection. Mr. Robert Furman, Criminal Inspector at the Criminal Police Directorate of the Republic of Slovenia, presented the process of the

Schengen evaluation in the area of data protection, which can be applicable to the mutual evaluations executed by the Evaluation teams.

The Contracting Parties, following a state by state approach, presented the state of play of already executed data protection evaluations or twinning projects and their estimation on the possible dates of having mutual evaluations in the area of data protection, executed by the members Evaluation teams appointed by their respective Ministers. The participants were requested to, in cases where possible, bring a statement of readiness. No statements were submitted.

The Questionnaire on exchange of personal data, already presented at the meeting of the Working Group on Integrated Border Management in January 2009, was revisited and the Contracting Parties were requested to present the changes that have occurred during the past year. It can be noted that the updated answers to the Questionnaire indicate progress in the area of data protection.

The conclusions of the meeting were as follows:

- The Contracting Parties will, no later than 4 March 2010, send the updated versions of the Questionnaire on exchange of personal data to the PCC SEE Secretariat. The PCC SEE Secretariat will, no later than 10 March 2010, send the Contracting Parties and overview of all received answers.
- The PCC SEE Secretariat will, in cooperation with the Bulgarian Chairmanship – in – Office, send a letter to the respective Ministers informing them on the outcomes of the meeting.
- It was agreed that the respective Ministers officially appoint experts for the Evaluation teams.
- A Practical Guide to Schengen Evaluation, prepared by the Czech Presidency to the EU, will be disseminated to all participants. This Guide can be used as a supporting tool for concrete evaluations.
- The Contracting Parties were advised to start preparing for the statements of readiness.
- It was agreed that self evaluations in the area of data protection are welcome. The PCC SEE Secretariat will support the Contracting Parties in providing competent experts and other matters where requested.