



EUROPEAN COMMISSION
DIRECTORATE-GENERAL JUSTICE

Director-General

Brussels, 22 AVR. 2013
JUST/C3

Mr Jacob Kohnstamm
Chairman,
Art. 29 Working Party
European Commission
Directorate-General Justice
Data Protection Unit
B-1049 Brussels

Dear Mr Kohnstamm,

I acknowledge your letter dated 2nd April 2013.

I note that you agree that statements made during meetings by officials employed by the European Commission should be attributed to and referenced as statements from the Commission. I trust that this now clarifies and possibly resolves most of the issues regarding this matter.

I am somewhat surprised that you find it improper that the Commission considers that the publication of the concerned letters should comply with data protection rules. Commission officials have the right to benefit from data protection rules as any other person, independently of the Commission's responsibility for actions of its staff. The characterisation of information as personal data does not depend on the capacity in which the data subject made the statements in question.

The official in question having given his explicit consent to the publication of your letter to LIBE of 21 December 2012, it will be put online, in the working party 29 webpage together with our exchange of letters on this issue.

Yours sincerely,

Françoise LE BAIL