

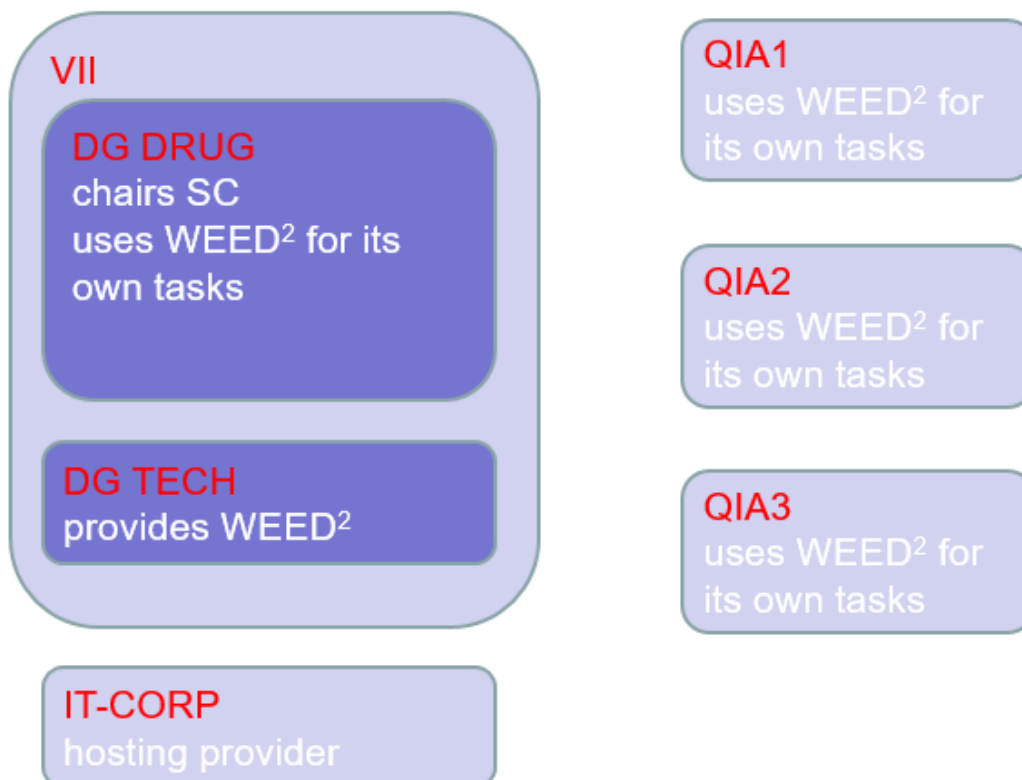
Life, the Universe and Everything: Case study on joint controllers

Wondrous European Extra-legal Drug Database (WEED²)

The Very Important EU Institution (VII) and three Quite Important Agencies (QIA) want to improve their collaboration on research into drug abuse in the EU. To this end, they want to set up the Wondrous European Extra-legal Drug Database (WEED²). The database would include information on drug abuse in the EU, including personal data relating to health effects of drug abuse. VII and the QIAs each have a legal base to process such data and to share it with each other. WEED² will provide an information hub for VII's and the QIAs research and policy development tasks.

VII's Drug Research Understanding Group (DG DRUG) plans to use WEED² for its own tasks. Similarly, the QIAs plan to use it for their respective research tasks, that are linked to each other. VII and the QIAs will align their data models for better collaboration. Everyone agrees that while the backend should be an integrated system, access to data should be segregated - not everyone needs access to all data; DG DRUG and the QIAs each want to be in control of who sees their input.

VII has the best in-house IT capabilities among the project partners. Therefore, it has volunteered to run WEED², using its own IT department (DG TECH) as a provider. DG TECH is however not able to host the database, so it will need to hire an external contractor.



VII DG DRUG and the QIAs decide on the direction of the project in a Steering Committee (SC) chaired by DG DRUG. The SC will define the functional and non-functional requirements for WEED². VII DG TECH, based on the instructions received from the SC, will build the system.

VII's DG TECH has often used IT-CORP in the past, so they selected them as a hosting provider for WEED².

The project has kicked off, but some problems have already occurred:

- QIA1 wonders how much influence they would have in the SC, given that VII is by far the biggest partner in WEED².
- QIA2 has been very aggressive in testing the boundaries of its mandate and VII's legal service is worried about VII's liability if QIA2 were to use WEED² in such a way.
- QIA3 wonders how far they, if VII relies on IT-CORP as hosting provider, would be in a position to check that IT-CORP does its job in the right way. In addition, QIA3 worries about how far IT-CORP's establishments, described in IT CORP's offer, in Norway (data centre), Argentina and Kazakhstan (both helpdesk) could be involved.

Questions

- Based on the information available, who is (joint) controller, who is processor (for what)?
- What do you think would make sense as a distribution of roles between the different organisations involved for:
 - Informing data subjects?
 - Information security?
 - Data breaches?
 - Managing relations with possible processors?
- What do you think should the arrangement between the joint controllers cover (scope/content)?
- What should the form of the arrangement be?