From:	████████████████████
To:	████████████████████████████ dataprotectionoffice <dataprotectionoffice@frontex.europa.eu>
CC:	███████████████████ ████████
Sent at:	06/09/19 14:03:53
Subject:	RE: Ref. 2017-0874

Dear ████,

I hope this mail finds you well and rested after the summer period. If the document was missing, please accept my apologies as I may have missed it in the process of sending it. Please find attached the document for recommendation # 8, where the clustering for statistics has been redesigned into more generic groups to avoid singling out specific individuals. As per the master plan, that I am surprised I didn't attach it, as it is our control mechanism for overseeing the implementation.
Please note that we are moving forward with Rec # 9 and as per your other questions, I will ask my colleagues form ICT to give me an answer.

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From: ████████████████████████████
Sent: Friday, September 6, 2019 11:18 AM
To: ████████████████████████ dataprotectionoffice <dataprotectionoffice@frontex.europa.eu>
Cc: ██
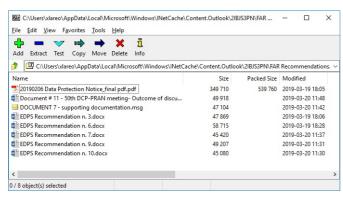**Subject:** RE: Ref. 2017-0874

Hi ████,

Sorry for being so late on the FAR follow up.

I checked the documents you sent and I'm missing information regarding our recommendation number 8, the one on redesigning the anonymization process.

In your 20 March 2019 email you told us that the attached file contained a master plan and 8 documents, but the file contains just 8 documents and I don't find the master plan. Maybe the info on recommendation 8 is there?

I would also like to comment a couple of issues that I found when checking the mitigation measures applied to the vulnerabilities detected by CERT-EU.
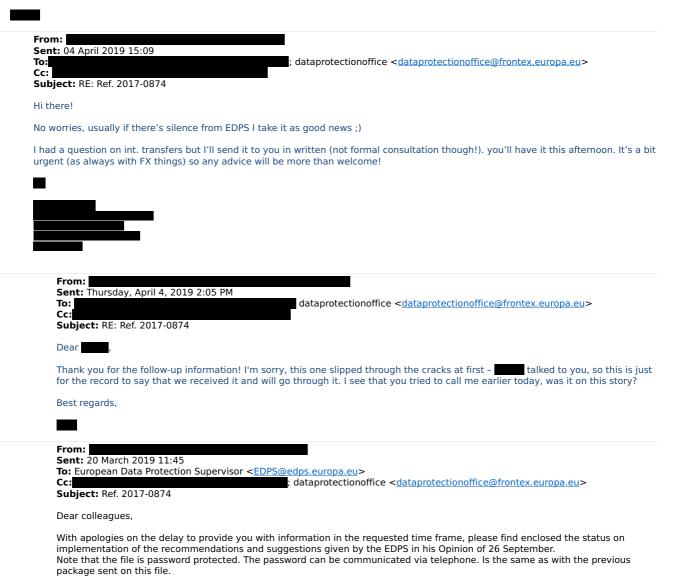
Could you please check this issues with your ICT team?

Kind regards,

████

From: ████████████████████████████
Sent: 04 April 2019 15:09
To: ███████████████████████████████; dataprotectionoffice <dataprotectionoffice@frontex.europa.eu>
Cc: ████████████████████████
Subject: RE: Ref. 2017-0874

Hi there!

No worries, usually if there's silence from EDPS I take it as good news ;)

I had a question on int. transfers but I'll send it to you in written (not formal consultation though!). you'll have it this afternoon. It's a bit urgent (as always with FX things) so any advice will be more than welcome!

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From: ███████████████████████████████
Sent: Thursday, April 4, 2019 2:05 PM
To: ████████████████████████████ dataprotectionoffice <dataprotectionoffice@frontex.europa.eu>
Cc:
Subject: RE: Ref. 2017-0874

Dear █████,

Thank you for the follow-up information! I'm sorry, this one slipped through the cracks at first – █████ talked to you, so this is just for the record to say that we received it and will go through it. I see that you tried to call me earlier today, was it on this story?

Best regards,

████

From: ████████████████████████████
Sent: 20 March 2019 11:45
To: European Data Protection Supervisor <EDPS@edps.europa.eu>
Cc: ████████████████████████; dataprotectionoffice <dataprotectionoffice@frontex.europa.eu>
Subject: Ref. 2017-0874

Dear colleagues,

With apologies on the delay to provide you with information in the requested time frame, please find enclosed the status on implementation of the recommendations and suggestions given by the EDPS in his Opinion of 26 September.
Note that the file is password protected. The password can be communicated via telephone. Is the same as with the previous package sent on this file.
Note that the file contains:
1. A master Implementation Plan, where all the actions have been recorded. This document also contains references to extra documents that further explain actions taken by the Agency.
2. 8 Documents on related to the recommendations.
3. Document 11 records the meeting held with MSs on how to approach different EDPS recommendations.

I do hope this is sufficient information. Please come back to us should you have further questions.

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FRONTEX
EUROPEAN BORDER AND COAST GUARD AGENCY

EDPS RECOMMENDATION N. 8

RE-DESIGN OF THE ANONYMISATION PROCEDURE

Proposal for clustering the age of returnees

For internal use and statistics:

1)   0-17 (minors)

2)   18-44

3)   45-64

4)   65 and above

For external reporting:

0-17 (minors)

18 and above (adults)

IMPLEMENTATION PLAN 2018 FAR

				implementation and documentary evidence required
			Deadline:	**within 3 months from 26/09/2018**

FAR

	% done	recommendation	Responsible unit/sector	action to be taken	status (completed/ in progress/pending)
1	100%	The EDPS recommends that the Agency draft a separate data protection notice for returnees containing all the requirements stated in Article 12 of the Regulation.	DPO	DPO to prepare a first draft, ECRet to c	**Completed**
2	100%	The EDPS recommends that the Agency publish a data protection notice for returnees on the internet.	ECRET	Contact Media and Public Relations Office	**Completed** - notice in webpage since 18 February.
3	100%	The EDPS recommends that the Agency ensure that returnees are individually (and actively) informed on the processing operation through the handling of a data protection notice.	ECRET	a) Internal meeting on possibilities; b) Meeting with MS at the DCP/PRAN meeting on 4-5 December.	**Completed** -Notice uploaded in FAR
4	100%	The EDPS recommends that the Agency include the details of the controller in the data protection notices and consider indicating that the Agency cannot assess the merit of return decisions.	DPO/ECRET	DPO to include the details of the controller in the notice. ECRET to look into the creating a new functional mailbox for this purpose	**Completed** (**FAR.personaldata@frontex.europa.eu mailbox created**)
5	100%	The EDPS recommends that the data protection notice contain reference to the legal basis setting up FAR and governing return operations.	DPO	DPO to include the legal basis of FAR in t	**Completed**
6	100%	The EDPS recommends that the Agency perform and document a case-by-case analysis to examine whether access to certain categories of data (such as thc security risk assessment) need to be restricted or deferred on the basis of Article 20 of the Regulation	DPO/ECRET	DPO and ECRet to draft an internal policy and develop a log to register individual restrictions of the right of access	**Completed** (**Internal policy for request of access by data subject and log**).
7	100%	The EDPS recommends that the data relevant for financial checks is retained for as short as possible, used only for verification purposes and accessible only to users on a need to know basis.	ECRET	a) Map the indispensable financial data and users of this data; b) Users are reminded that this data can only be shared on a 'need-to-know' basis	**Completed**
8	100%	The EDPS recommends that the Agency re-design the anonymisation procedure to ensure that re-identification is impossible.	ECRET	Revised proposal on clustering the age of returnees. To be implemented in FAR	**Completed**
9	75%	The EDPS recommends that the Agency adopt and implement a plan to close its liaison with the Member States. The aim of this plan should be to get a better knowledge of the security measures applied at Member State level and, on the long run, to agree baseline security measures.	ECRET	Joint Working Group between ICT and ECRet created with the aim of developing the implementation plan. The issue was discussed with MS at the DCP/PRAN meeting of 4-5 December and a questionnaire to assess security measures in MS as well as practicable baseline security measures is under development by the Joint Working Group)	**In progress** 1. Presented the EDPS's recommendations to the MS at the DCP/PRAN in December 2018 and explained the need to cooperate to ensure the protection of personal data; 2. Elaborated and disseminated to MS a questionnaire to obtain better knowledge of their security measures; 3. Analysed the 17 MS replies; 4. Based on this analysis, First draft of the security policy drafted for review by DPO and presentation to MSs
10	75%	The EDPS recommends that the Agency take as soon as possible appropriate mitigation measures for the known vulnerabilities.	ECRET	Consult ICT on state of play and possible implementation plan for the pending actions	

IMPLEMENTATION PLAN 2018 FAR

	implementation expected but documentary evidence is not required

FAR

% done	suggestions	responsible unit/ sector	action to be taken	status (completed/ in progress/pending)
100%	The EDPS suggests that the Agency include in the data protection notice that the right of rectification cannot be used to put into question a decision of return which is taken by a judicial or administrative authority of a Member State.	DPO	Include under data protection n	**Completed**
100%	The EDPS suggests that the Agency include in the data protection notice that, given the short retention periods, data subjects should exercise their rights before their data are anonymised, 30 days after the completion of the return operation.	DPO	Included in the data protection	**Completed**
25%	The Agency suggests that the Agency impose a limit on the number of concurrent sessions in the three security domains, as there is no need for any user to have unlimited concurrent sessions.	ECRET		**In progress** (ICT in contact wih the EU Login colleagues on how to configure the EU Login to ensure an unique session)
100%	The EDPS suggests that, if no alternative measures are available, the Agency assess the impact of requiring the use of specific browser/s to access FAR and compare it to the impact of accepting the security risk of the vulnerability.	ECRET	ICT to be consulted	**Completed -** all browsers supported.