

From: [REDACTED]
To: SUPERVISION <supervision@edps.europa.eu>
Sent at: 07/03/24 16:30:20
Subject: Re: Webform submission from: Complaint form sent on 13 February 2024 - to be linked with Case 2022-1189

Dear SUPERVISION,

Please do not forget the two data breaches and the video certified by a third party witnessI provided by email of 21/02/2024

Thanks for your time.

Best regards

[REDACTED]

El jue, 7 mar 2024 a las 15:38, SUPERVISION (<supervision@edps.europa.eu>) escribió:

Dear [REDACTED],

The EDPS acknowledges receipt of your complaint submitted through the online complaint form on 13 February 2024 against EPSO regarding your access request to your logs.

The file will be linked to your complaint case number 2022-1189.

The EDPS will assess your complaint of 13 February 2024 (below) as well as EPSO's reply sent to you on 30 November 2023 regarding the EDPS order of 31 October 2023 that EPSO provide you access to all your log data, the time and purpose of each access.

We will inform you accordingly in due time.

Yours sincerely,

SUPERVISION & ENFORCEMENT UNIT



| Tel. (+32) 228 31900 | Fax +32(0)22831950 | >
Email Supervision@edps.europa.eu
European Data Protection Supervisor
Postal address: Rue Wiertz 60, B-1047 Brussels
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According to Articles 15 and 16 of Regulation (EU) 2018/1725 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, please be informed that your personal data will be processed by the EDPS, where proportionate and necessary, for the purpose of investigating your complaint. The legal basis for this processing operation is Article 57(1)(e) of Regulation (EU) 2018/1725. The data processed will have been submitted by you, or from other sources during the inquiry of your complaint, and this may include sensitive data. Your data will only be transferred to other EU institutions and bodies or to third parties when it is necessary to ensure the appropriate investigation or follow up of your complaint. Your data will be stored by the EDPS in electronic and paper files for up to ten years (five years for prima facie inadmissible complaints) after the case closure, unless legal proceedings require us to keep them for a longer period. You have the right to access your personal data held by the EDPS and to obtain the rectification thereof, if necessary. Any such request should be addressed to the EDPS at edps@edps.europa.eu. Your data might be transferred to other EU institutions and bodies or to any third parties only where necessary to ensure the appropriate handling of your request. You may also contact the data protection officer of the EDPS (DPO@edps.europa.eu), if you have any remarks or complaints regarding the way we process your personal data. You can find the full version of our data protection notice on complaint handling at: https://edps.europa.eu/data-protection/our-role-supervisor/complaints-handling-data-protection-notice_en

From: European Data Protection Supervisor <edps-edps@fpfis.tech.ec.europa.eu>

Sent: 13 February 2024 12:08

To: SUPERVISION <supervision@edps.europa.eu>

Subject: Webform submission from: Complaint form

<p>Submitted on Tue, 02/13/2024 - 12:00</p>

<p>Submitted values are:</p>

1. Are you:

(a) personally affected by the issue(s) at stake in your complaint

2. Which EU institution, body, office or agency do you wish to complain about?

European Personnel Selection Office

3. Please describe your complaint and specify which personal data protection rule(s) you believe have been infringed by the EU institution, body, office, or agency concerned.

EPSO, In the context of case 2022-1189 and court case T-546/23 hasn't provided any EUDPR or Pankki compliant logs.

By email of 1/02/2023 (LetterAfterRevisedDecision-ANNEXES-signed.pdf

EDPS was in CC) I informed EPSO that the provided logs were not compliant and also informed it about a Data Breach (hereinafter 'The purge'). 'The purge' is basically two personal data protection breaches that should have been thoroughly investigated:

1. EPSO was storing applicant's data far beyond any reasonable date. Some data was from 2006 as seen on the Request for review Eg: EPSO/TA/IT/06 IT Temporary Agents IT from 2006.

2. EPSO/EUIPO instead of providing the logs and the data decided to purge applicant's data and claim compliance.

As a matter of fact I already informed the ED [REDACTED] same very Data Breach by emails of 1/04/2023 , 21/04/2023 (Annexes 2023-04-01_Correo de [REDACTED] - Our ref. 2022-1189 - D(2023) 0200.pdf

and 2023-04-21_Correo de [REDACTED] - Our ref. 2022-1189 - D(2023) 0200.pdf

). It seems that the EDPS didn't understand the emails properly as no action was taken at that moment.

I also included the deletion of my personal data on my request for review but the EDPS ignored it again.

I have a certified (by a third party witness eGarante) web session from 15/05/2022 where the purged application EUIPO/CAST/1/16 - 6 - INFORMATION TECHNOLOGY/PROJECT MANAGEMENT SPECIALIST - Function Group IV (FG IV) can be seen. The log clearly state that the web session was from 15/05/2022

2022-05-15 09:49:39.820571 <https://europa.eu/epso/application/passport/login.cfm?islo=true>

2022-05-15 09:50:01.203219 <https://europa.eu/epso/application/base/index.cfm>

2022-05-15 09:50:01.203219 https://europa.eu/epso/application/cv_new/index.cfm

2022-05-15 09:50:04.413404 <https://europa.eu/epso/application/passport/index.cfm?action=pdplegal>

I cannot provide the PDF nor the video as the complaint form only allows me to upload 3 files with less than 3MB. I will provide them by email when I receive your reference number by email

4. Please explain what you would like the EU institution, body, office, or agency to do in order to remedy the alleged violation.

EPSO has ignored all my attempts to get access to the logs even after being ordered to comply with my request by the EDPS.

EPSO has ignored my request to inform me (as a data subject) and to the EDPS the two data breaches from my letter from 1/02/2023 (LetterAfterRevisedDecision-ANNEXES-signed.pdf EDPS was in CC)

5. When did you become aware of the alleged violation?

2023-04-01

6. If you have supporting documents to substantiate your claim, please upload them here.

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https://www.edps.europa.eu/system/files/webform/complaint_form/11901/screenshot_before_afterthepurge_1.pdf

[edps.europa.eu/system/files/webform/complaint_form/11901/2023-04-21-our-ref.-2022-1189---d%282023-0200_0.pdf](https://www.edps.europa.eu/system/files/webform/complaint_form/11901/2023-04-21-our-ref.-2022-1189---d%282023-0200_0.pdf)

[edps.europa.eu/system/files/webform/complaint_form/11901/2023-04-our-ref.-2022-1189---d%282023-0200_0.pdf](https://www.edps.europa.eu/system/files/webform/complaint_form/11901/2023-04-our-ref.-2022-1189---d%282023-0200_0.pdf)

7. Have you already contacted the EU institution, body, office or agency you want to complain about concerning the alleged violation?

Yes

Please provide details, including the reply of the EU institution, body, office or agency.

EPSO has ignored all my attempts to get the logs and has deleted my data. The EDPS has already all the supporting documents and emails shared between me and the EPSO.

8. Have you submitted the same matter to other bodies (Court of Justice, European Ombudsman, etc.)?

No

9. Your Name

Please note:

If you are a lawyer acting on behalf of a client, please enter your client's name here, not yours - please enter your details under "contact information" below and attach a power of attorney.

If you are a not-for-profit body, organisation or association, please enter your client name here, not yours - please enter your details under "contact information" below and attach a mandate from the individual.

First name(s)

[REDACTED]

Family name(s)

[REDACTED]

10. Contact information

[REDACTED]

[REDACTED]

11. E-mail address

[REDACTED]

The EDPS treats all complaints confidentially. However, the investigation of your complaint may require disclosing your identity and the allegations you made to the EU institution, body, office, or agency against which you complained. If necessary for the investigation, the identity of the third parties involved, including national data protection authorities may be disclosed. The EDPS will also copy the Data Protection Officer (DPO) of the EU institution, body, office or agency concerned into all correspondence between the EDPS and the EU institution, body, office or agency concerned. Any public summaries of cases (e.g. in the Annual Reports of the EDPS) will be completely anonymous.

12. Do you accept this standard confidential treatment of your complaint?

Yes

13. Do you agree that your complaint may be passed to another institution, body, office or agency (European or national), if the EDPS is not competent?

Yes

14. I acknowledge having read and understood the Data protection notice.

Yes