

Our ref.: [REDACTED]

From: European Data Protection Supervisor

To: [REDACTED]

Date: Friday, April 16, 2021

Dear [REDACTED]

We are writing in response to your complaint submitted to the European Data Protection Supervisor (EDPS) on 11 March 2021.

We would like to point out that the EDPS is the independent authority of the European Union (EU) that deals with the supervision of the processing of personal data done by EU institutions and bodies^[1]. In this sense, our tasks are similar to the tasks of national data protection authorities in the EU Member States, but apply only at the level of the European Union and its institutions^[2].

We have analysed the matter raised in your message, and it appears that your request does not relate to the processing of personal data by EU institutions or bodies.

The EDPS has no supervisory competence over other international organisations. In consequence, we regret to inform you that your complaint, regardless its possible merits, falls outside the jurisdiction of the EDPS and we therefore do not have any authority to investigate it.

Please be informed that the seat agreements that the international organisations have with their host states usually grant them certain privileges and immunities. These often exclude the application of national law to the international organisation and therefore, the national data protection authority (DPA) of its host state may not be able to assist you either.

However, please be advised that you could contact EPO directly regarding your complaint by sending an email to DPO@epo.org. You can find this information in the company's Privacy Policy, available here: [EPO - Data protection & privacy](#).

Yours sincerely,

EDPS Secretariat



| Tel. (+32) 228 31900 | Fax +32(0)22831950 | >

Email edps@edps.europa.eu

European Data Protection Supervisor

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^[1] According to Regulation (EU) 2018/1725 (see <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:32018R1725> '... **the European Data Protection Supervisor, shall monitor the application of the provisions of this Regulation to all processing operations carried out by a Union institution or body...**' (see Article 1(3)). According to Article 3(10), the 'Union institutions and bodies' are **the Union institutions, bodies, offices and agencies set up by, or on the basis of, the TEU, the TFEU or the Euratom Treaty** (see http://europa.eu/about-eu/institutions-bodies/index_en.htm for a full list).

² For example, like national data protection authorities we also provide advice to the legislator on new legislative proposals and on initiatives having an impact on data protection and privacy.

Data Protection Notice

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 (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.

[1] According to Regulation (EU) 2018/1725 (see <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:32018R1725> '... **the European Data Protection Supervisor, shall monitor the application of the provisions of this Regulation to all processing operations carried out by a Community institution or body...**' (see Article 1(2)). According to paragraph 1 of the same article, the 'Community institutions or bodies' are **the institutions and bodies set up by, or on the basis of, the Treaties establishing the European Communities** (see http://europa.eu/about-eu/institutions-bodies/index_en.htm for a full list).

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