



The protection of individuals with regard to the processing of personal data and the free movement of personal data have been guaranteed in the European Union since the entry into force of Directive 95/46/EC on 24 October 1995.

Article 286 of the EC Treaty provides that Community acts on the protection of individuals with regard to the processing of personal data and the free movement of such data also apply to the institutions and bodies from 1 January 1999. This Article provides for an independent supervisory body responsible for monitoring the application of such Community acts to Community institutions and bodies and for the adoption of any other appropriate provisions.

The European Parliament and the Council have enacted Regulation (EC) 45/2001 concerning the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. This Regulation establishes an independent supervisory authority, called the European Data Protection Supervisor, responsible for monitoring the processing of personal data by the Community institutions and bodies. Besides, each institution has a Data Protection Officer who will cooperate with the EDPS and in particular notify him of certain sensitive data processing operations, such as those relating to health matters and evaluation of staff.

The status of the EDPS and general conditions governing the performance of the Supervisor's duties were fixed by Decision no 1247/2002/EC of 1 July 2002.

By a decision of the European Parliament and of the Council of 22 December 2003, published in the Official Journal of 17 January 2004, Mr Peter Johan Hustinx has been appointed as the EDPS and Mr Joaquín Bayo Delgado as Assistant Supervisor for a period of five years further to a public call for candidates.