

PRIVACY NOTICE INVESTIGATIVE ACTIVITIES

The processing of personal data by the Directorate of Internal Oversight (DIO), including activities carried out by the Investigation Division, is done in accordance with the [Council of Europe Regulations on the Protection of Personal Data](#). In addition, the Investigation Division aims to follow common principles, guidelines and best practices for investigations, such as the ones enshrined in the Uniform Principles and Guidelines for Investigations and complementing guidelines adopted by the Conference of International Investigators and those set out in the case-law of the European Court of Human Rights, where applicable. The DIO is the Data Controller in this respect.

1. PURPOSE OF THE DATA PROCESSING

The Investigation Division of the DIO processes personal data for the purpose of conducting activities to prevent, detect, and investigate wrongdoing in accordance with the Organisation's legal framework. The aim of the investigative process is to examine and determine the veracity of allegations and indications of wrongdoing as defined by the Council of Europe, including with respect to, but not limited to, activities financed by the Council of Europe and allegations of wrongdoing committed by Secretariat members. All investigative activities are administrative in nature.

2. LEGAL BASIS FOR THE PROCESSING

The [legal basis](#) for this processing operation is the Council of Europe's Staff Regulations and Staff Rules, the DIO Charter, and other applicable legal instruments adopted by the Council of Europe containing provisions relating to reporting of wrongdoing. Guidance and principles on the data protection practices of the DIO can also be found in the DIO's Data Protection Guidelines.

3. CATEGORIES OF PERSONAL DATA PROCESSED

In the framework of the investigative processes, the DIO may process any categories of personal data deemed necessary to examine and determine the veracity of allegations and indications of wrongdoing, including sensitive data as defined in Article 5 of the [Council of Europe Regulations on the Protection of Personal Data](#).

4. WHO HAS ACCESS TO YOUR INFORMATION AND TO WHOM IS IT DISCLOSED?

The investigative process is confidential. Information gathered in the course of any investigative process is treated as confidential by all those involved and is shared only on a need-to-know basis in conformity with applicable rules, regulations and policies.

Only authorized DIO staff has access to data processed in this respect. In addition, if a preliminary assessment or an investigation is opened in accordance with the Organisation's legal framework, your data may be transferred to designated persons internal or external to the Council of Europe involved in the process, including other CoE entities, national authorities, donor organisations, and external investigators. In that case, the safeguards outlined in Article 9 of the [Council of Europe Regulations on the Protection of Personal Data](#) will apply.

5. HOW DO WE PROTECT AND SAFEGUARD YOUR INFORMATION?

To protect your personal data, various technical and organisational measures have been put in place. Technical measures include various actions to address security and safety of data (e.g. pseudonymization or anonymization, usage of encrypted platforms, clear-screen policy, clean-desk policy, lock-and-key policy, shredding of files, etc.), as well as prevention of alteration of data or unauthorised access depending on the risk level presented by the processing and the nature of the data being processed. As your personal data are treated as confidential, organisational measures also include restricting data access to authorised persons with a legitimate need to know for the purposes of this processing operation. Personal data are stored on servers used by the Council of Europe which are located within the European Economic Area.

6. HOW LONG DO WE KEEP YOUR DATA?

Your personal data may be retained by the DIO according to the Council of Europe's [legal framework](#).

In the case of a preliminary assessment which has not given rise to an investigation, the file with the records of the proceedings remains confidential and is kept in a secure digital and/or physical location by the DIO for a maximum period of 5 years. The records are anonymised as soon as a personally identifiable format is no longer necessary.

Investigation reports and the reports of the preceding preliminary assessment, as well as all related working papers and interview records will be kept for a maximum period of 10 years. These documents are anonymised as soon as a personally identifiable format is no longer necessary.

7. WHAT ARE YOUR RIGHTS AND HOW CAN YOU EXERCISE THEM?

As per the provision of Article 8 of the [Council of Europe Regulations on the Protection of Personal Data](#), you have the right to request access, rectification, erasure, or restriction of processing of your personal data and you can object to their processing on grounds relating to your particular situation. Any request to exercise one of these rights should be directed to the Data Controller (at the following email address dio.dataprotection@coe.int).

Please note that, as per the provision of Article 7, Article 8, and Article 10 of the [Council of Europe Regulations on the Protection of Personal Data](#), exceptions and restrictions may apply. Further guidelines in this respect might also be found in DIO's Data Protection Guidelines.

8. CONTACT DETAILS OF THE DATA PROTECTION OFFICER

You may contact the Data Protection Officer of the Council of Europe (dpo@coe.int) with any queries related to the processing of your personal data under the Council of Europe [data protection legal framework](#) applicable to the DIO.

9. RIGHT OF APPEAL

You also have the right to lodge an appeal with the Council of Europe Data Protection Commissioner (datacommissioner@coe.int), if you consider that your rights under the [Council of Europe Regulations on the Protection of Personal Data](#) have been infringed as a result of the processing of your personal data by the DIO.