

This is the privacy statement of the Netherlands Compensation Commission Potočari. In this statement the Commission explains its mandate and how it implements that mandate. You can read about the personal data that we collect, why we collect that data and what we will do with the data once we have completed our work. Please also note that, as a claimant, this statement explains your rights in relation to personal data.

1. Background

The Commission has been instructed to independently implement the Srebrenica civil-law settlement arrangement on behalf of the Minister of Defence and the Minister of Foreign Affairs. The Commission is responsible for the entire process of reception, assessment and decision-making involved in implementing the settlement arrangement.

The Commission has determined its own procedures, which it has laid down in an implementation protocol.

In implementing this arrangement, the Commission acts as the controller within the meaning of the General Data Protection Regulation (GDPR). This means that the Commission is responsible for the processing of personal data and the means by which this is done when administering the arrangement.

2. Which data does the Commission process?

Under the arrangement, the Commission must assess whether a claimant complies with the requirements and conditions for eligibility for compensation on the basis of the arrangement. In making this assessment, it is essential for the Commission to request certain personal data from the claimant. The Commission will also use this personal data to assess whether the claimant has previously submitted a claim under the arrangement. If a claimant does not provide any personal data, the Commission cannot assess the claim.

The personal data and documents containing personal data that the Commission requests when handling claims are as follows:

- address details;
- an authenticated copy of a valid passport or identity card;¹
- data concerning the victim;
- the victim's death certificate;
- certificates from the civil registry (marriage certificate, birth certificate etc);
- bank details.

Using these data the Commission can (i) establish the identity and contact details of a claimant, (ii) assess whether it was likely that the victim named in the claim was in the compound in the late afternoon of 13 July 1995, (iii) assess the family or other relationship that exists/existed between the claimant and the victim and, insofar as is applicable, (iv) establish the payment details of the claimant.

In anticipation of the announcement of the arrangement, the Commission arranged for an independent investigation into who was present in the Dutch compound in Potočari in the late afternoon of 13 July 1995. The results of this investigation offer greater certainty about the

¹ In the case of an authenticated copy of a passport or identity card from a country other than Bosnia, the claimant is requested to make the BSN (citizen service number) illegible.

identity of the deceased male refugees. This investigation also provides insights about the identity of the surviving relatives of the deceased male refugees. The investigation drew on all the information available about the Srebrenica victims in Bosnia and Herzegovina and in the Netherlands. Historic lists, drawn up during or after the fall of the enclave, were compared with recent investigation results of the Missing Persons Institute in Sarajevo. The Commission will use the investigation results when assessing claims.

The Commission's basis for processing ordinary personal data is article 6, paragraph 1(e) of the GDPR. Under this article, personal data may be processed if the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

The processing of special categories of personal data (where applicable) takes place on the basis of article 9, paragraph 2(f) of the GDPR. Under this article, special categories of personal data may be processed if the processing is necessary for the establishment, exercise or defence of legal claims.

The Commission is aware of the sensitive nature of the personal data requested when someone submits a claim. The Commission therefore asks the claimants only to provide data that is essential for the assessment of a claim and will ensure that this data is treated with the utmost confidentiality and care. The data will only be used in order to handle a claim.

Claims submitted on paper will be stored digitally. Original documents will be returned to the applicant. Copies of documents submitted on paper will be retained for a maximum of 16 weeks and then destroyed.

3. What happens to the data after completion of the Commission's work?

Under the order establishing the Commission, as issued by the Ministers of Defence and of Foreign Affairs, the Commission is required to transfer its records in their entirety to the Minister of Defence once it has completed its work. The Minister of Defence will retain these records in the public interest. An exception applies to the authenticated copies of a passport or identity card submitted by applicants. These will be digitally and definitively deleted one month after the Commission has issued a decision rejecting a request, or – in the event that a claim is granted – one month after receiving the signed settlement agreement from the applicant.

4. Disclosure to third parties

We will disclose the data provided by you to third parties if this is essential for the handling of your claim. If we disclose your data to a third party, we will ensure (by means of a data processing agreement) that your data is not used for any other purposes. The agreement will also provide that your data must be deleted once it is no longer necessary. In addition, we will not disclose the data provided by you to any other parties unless we are permitted or required by statute to do so.

5. Cookie statement

Cookies are small text files that a website stores on your computer, tablet or mobile device when you visit that website. These cookies contain information about your website visit. On our website we use only functional and analytical cookies. Functional cookies are necessary to ensure that the website works properly. Analytical cookies enable us to analyse website visits,

helping us to find out which parts of the website can be improved. We have configured Google's analytical cookies in accordance with the guidelines given by the Dutch Data Protection Authority. As a result the settings are 'privacy friendly', which means that the cookies can be placed without your consent. For more information on what Google does with stored data, please consult the [Google Privacy Policy](#). This policy is subject to regular amendments.

6. What rights do claimants have?

A claimant has the right to access any of his/her personal data processed by the Commission. A claimant also has the right to rectify his/her personal data in the case of inaccuracies or to request the deletion of his or her personal data. In addition, a claimant is entitled to object to the processing of his/her personal data. The claimants can submit such an objection to the Commission.

7. Questions or complaints

We will be glad to help you if you have any questions or complaints about the processing of your personal data. Please email your question or complaint to office@nccpotocari.nl or post it to:

Netherlands Compensation Commission Potočari
Postbus 556
2501 CN Den Haag / The Hague
The Netherlands (The Hague Office)

or

Netherlands Compensation Commission Potočari
Mehmeda Spahe 26 (3rd floor)
71000 Sarajevo
Bosnia and Herzegovina (Sarajevo Office)

If we are unable to resolve the issue between us, you can contact the data protection officer at fg@caop.nl. The data protection officer supervises internal compliance with privacy legislation.

The Dutch Data Protection Authority supervises external compliance with privacy legislation. You have the right to submit a complaint about the Netherlands Compensation Commission Potočari to the Dutch Data Protection Authority. Complaints can be submitted [online](#), or by calling +31 (0)88-1805 250.

8. Amendments to this privacy statement

We may amend this privacy statement from time to time. Any amendments will be published on this website.