

სახელმწიფო ინპექტორის სამსახურმა
შინაგან საქმეთა სამინისტრო
სამართალდამრღვევად ცნო

The State Inspector's Service recognizes the Ministry of Internal Affairs of Georgia as an offender

The Georgian Young Lawyers' Association has been informed that under the decision of January 31, 2020, the State Inspector's Service has recognized the Ministry of Internal Affairs of Georgia as an offender.

On October 15, 2019, GYLA applied to the State Inspector's Service of Georgia asking to respond to the illegal processing of personal data by the Ministry of Internal Affairs of Georgia. In particular, the Ministry stores information on committing administrative offense for an unreasonable period. It is inadmissible to store electronic records in the Unified Information Bank of Administrative Offenses for an indefinite period of time. In addition, certain records need to be stored for a period of 1 year. However, the evidence obtained by GYLA proves that in practice the Ministry of Internal Affairs has been storing information for a period of more than 1 year.

As a result of the inspection carried out at the Ministry of Internal Affairs by the State Inspector's Service, the fact of committing an offense has been confirmed. The

decision made defines the following:

- The Ministry of Internal Affairs of Georgia is recognized as an offender for the storage and use of data on administrative offense by automatic processing, without legal grounds provided for by the Law of Georgia “On Personal Data Protection”. In addition, the administrative fine has been imposed on the Ministry of Internal Affairs;
- The Ministry of Internal Affairs was ordered within 6 months from the date of delivery of the decision to define terms of storage of data on the administrative offenses registered in the Unified Information Bank and to take appropriate measures, which promptly guarantees deleting, destruction or storage of the data by a method excluding identification of a person after achieving the above-mentioned lawful purposes;
- The Ministry of Internal Affairs was also ordered within 4 months from the date of delivery of the decision to take measures, which will ensure proper identification of the ground to hand over the data registered in the Unified Information Bank to other institutions, handing over of the data only in presence of a specific, clearly defined, lawful purpose and only to the extent that will be necessary to achieve the lawful purpose.