

# EEAS PRIVACY STATEMENT - DATA PROTECTION NOTICE

## FOR THE PURPOSE OF PROCESSING PERSONAL DATA RELATED TO THE ACTIVITY OF THE DATA PROTECTION OFFICER OF THE EUROPEAN EXTERNAL ACTION SERVICE INCLUDING THE EEAS RECORDS REGISTER

### 1. INTRODUCTION

The protection of your personal data and privacy is of great importance to the European External Action Service (EEAS), including the Delegations of the European Union. You have the right under EU law to be informed when your personal data is processed [e.g. collected, used, stored] as well as about the purpose and details of that processing.

When handling personal data, we respect the principles of the Charter of Fundamental Rights of the European Union, and in particular Article 8 on data protection. Your personal data are processed in accordance with 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, aligned with Regulation (EU) 2016/679, the General Data Protection Regulation. In this privacy statement you find information about how the EEAS and EU Delegations process your personal data and what rights you have as a data subject.

### 2. PURPOSE OF DATA PROCESSING: Why do we process your data?

The Data Protection Office of the EEAS is tasked with providing guidance to ensure the protection of the right to privacy and the protection of personal data within the organisation in compliance with the data protection provisions of Regulation (EU) 2018/1725 on the protection of personal data by EU institutions, taking into account the specific needs of EEAS services. In carrying out its activities, the EEAS frequently needs to collect, process and retain personal data. All personal data must be processed in accordance with the aforementioned regulation. The objective of the EEAS DPO, as data controller, is to protect the fundamental freedoms and rights of EEAS staff and third parties with regard to processing of their personal data. It is crucial to facilitate the free movement of information within a framework which guarantees the rights of individuals (data subjects) and their legitimate expectation to their right to privacy. The EEAS is a European public service that is committed to applying diligent data protection rules in the activities of all its staff, at all levels, both in the Headquarters and in the EU Delegations.

**The purpose of the personal data processing operation is to implement the objectives and carry out the activities of the Data Protection Office (DPO) of the European External Action Service.**

The EEAS DPO is an independent service functioning under the Directorate SG.AFFGEN assigned with activities including:

- Advisory in issues related to privacy and personal data protection
- Support for controllers, processors, project leaders and staff in the legal interpretation and implementation of applicable Regulations and Directives, in setting up their privacy policy and in developing personal data processing records, threshold and impact assessments, such as the Data Protection Impact Assessment (DPIA)
- Request and complaint handling from EEAS staff and citizens involving investigations on own initiative or upon demand
- Maintenance of the electronic data protection records register and the related IT platform, the e-DPO
- Guidance and registration regarding data breach notifications communicated to the DPO
- Consultation, cooperation, prior-checking and complaint follow-up with the European Data Protection Supervisor
- Organisation and supervision of the network of Data Protection Coordinators at Headquarters and Correspondents in EU Delegations (DPC Network)
- Awareness raising through events and trainings on data protection

### 3. DATA PROCESSED: What data do we process?

The types of data, including personal data, that may be collected are as follows:

I. In the framework of maintaining contacts with data controllers, coordinators, staff and processors in HQ and in Delegations

- Surname(s) and first name(s)
- Title
- Function
- Professional phone number
- Professional E-mail address
- Office address

II. In the framework of dealing with individual cases, in particular involving citizens and their legal representatives

- Surname(s) and first name(s)
- Private address
- Number or copy of ID card, Passport or any other identification document
- Nationality
- Private mobile /or fix/ phone number (if relevant and provided by requestor)
- E-mail contact, private e-mail
- Any data provided to the DPO in supporting documents by staff or citizens on a voluntary basis

III. In the framework of organising data protection and privacy related events, DPC Network meetings and trainings:

- Names, Function, organisational entity and professional contact details of participants
- Photos, videos

#### 4. DATA CONTROLLER: Who is entrusted with processing your data?

The data controller determining the purpose and the means of the processing activity is the European External Action Service.

The service responsible for managing the processing activity is:

#### **The Data Protection Officer of the EEAS (SG.AFFGEN.DPO.)**

#### 5. RECIPIENTS OF THE PERSONAL DATA: Who has access to your data?

The recipient of the personal data are:

- Assigned staff of the EEAS Data Protection Office (SG.AFFGEN.DPO)
  - Assigned staff of the Directorate for General Affairs and Chief Legal Officer (EEAS.AFFGEN)
- Assigned staff of Directorate General Resource Management (EEAS.RM)
- Assigned members of the EEAS staff with regard to a certain action involving personal data
- Assigned staff of other competent services in other EU institutions and bodies, offices and agencies

For information purposes the DPC list may be shared on the intranet or in a community of interest within the EEAS collaborative platform. Personal data is not intended to be transferred to a Third Country and not communicated to third parties, except where necessary for the purposes outlined above.

Confidentiality duty: assigned members of the Data Protection Office (DPO), to whom Article 287 of the Treaty shall apply, shall be required not to divulge information or documents which they obtain in the course of their duties. The DPO may decide, in order to fulfil its objectives, to transmit certain data to other entities of the EEAS or to services responsible for Commission staff in EU Delegations. Transmission without prior consent can occur strictly in particular cases pursuant to Article 25 of Reg. (EU) 2018/1725, when necessary to ensure the protection of a member of staff concerned.

#### 6. ACCESS, RECTIFICATION AND ERASURE OF DATA: What rights do you have?

You have the right of access to your personal data and the right to correct your inaccurate, or incomplete personal data taking into account the purpose of the processing. The right of rectification can only apply to factual data processed. Under certain conditions, you have the right to ask the deletion of your personal data or restrict their use as well as to object at any time to the processing of your personal data on grounds relating to your particular situation. We will consider your request, take a decision and communicate it to you without undue delay and in any event within one month of receipt of the request. That period may be extended by two further months where necessary. For more detailed legal references, you can find information in Articles 14 to 21, 23 and 24 of Regulation (EU) 2018/1725. In specific cases, restrictions under Article 25 of the Regulation may apply. If you wish to exercise your rights or have questions concerning the processing of your personal data, you may address them to the Data Controller via the functional mailbox:

**EEAS DATA PROTECTION <[data-protection@eeas.europa.eu](mailto:data-protection@eeas.europa.eu)>**

#### 7. LEGAL BASIS: On what grounds we collect your data?

Lawfulness: The lawfulness of the processing activity is based on Article 5 (a) and (b) of Regulation (EU) 2018/1725. Processing is necessary for the performance of a task carried out in the public interest and in the exercise of official authority vested in the Union institution or body and for compliance with a legal obligation to which the controller is subject. Data may also be processed based on consent (Article 5(d) of the aforementioned regulation, e.g. for photos or videos of event participants).

Legal basis: Article 45 of REGULATION (EU) 2018/1725 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 October 2018 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC OJ L 295, 21.11.2018, p. 39–98. Further legal reference: Council Decision of 26 July 2010 establishing the organisation and functioning of the EEAS (2010/427/EU) – OJ L 201, 3/8/2010, p. 30.

#### 8. TIME LIMIT FOR DATA STORED & SECURITY MEASURES: For what period and how we process your data?

Personal data from contact persons of the data controller, the delegated controller, the responsible focal point team and the processor as well as of Data Protection Coordinators and Correspondents are retained as long as the processing - described in the records pursuant to Art. 31. of Reg. (EU) 2018/1725 - is operational. Upon notice to the DPO it will be deleted from the register (Art.31.5). User data in the online records management system, e-DPO, stored for the management of access control can be kept as long as users have the right to use the system. It is deleted upon notice with the information that user rights have been withdrawn. All data, including personal data of data subjects in the context of request and complaint handling are kept and deleted according to provisions of the Common Commission-level Retention List [document management policy](#) (Ref. [Ares\(2022\)8801492](#)) followed by the EEAS. When appropriate, personal data contained in supporting documents will be deleted where possible, when these data are not necessary for further purposes and objectives of the Data Protection Office. Security of data: Appropriate organisational and technical measures are ensured according to Article 33 of Reg. (EU) 2018/1725. The collected personal data are stored on servers that abide by pertinent security rules. Data is processed by assigned staff members. Access to specific files requires authorisation. Measures are provided to prevent unauthorised entities from access, alteration, deletion, disclosure of data. General access to personal data is only possible to recipients with a UserID/Password. Physical copies of personal data are stored in a properly secured manner.

#### 9. EEAS DATA PROTECTION OFFICER: Any questions to the DPO?

If you have enquiries you can also contact the EEAS Data Protection Officer at [data-protection@eeas.europa.eu](mailto:data-protection@eeas.europa.eu).

#### 10. RECOURSE

You have, at any time, the right to have recourse to the European Data Protection Supervisor at [edps@edps.europa.eu](mailto:edps@edps.europa.eu).