

Data Protection Statement/Privacy Statement on the processing of personal data in the procedure/context of 'Generators for Ukraine' Initiative

The protection of privacy is of high importance to the European Maritime Safety Agency ('EMSA'). EMSA is responsible for the personal data it processes. Therefore, we are committed to respecting and protecting the personal data of every individual and to ensuring efficient exercising of data subject's rights. All the data of personal nature, namely data that can identify an individual directly or indirectly, will be handled fairly and lawfully with the necessary due care.

This processing operation is subject to Regulation 2018/1725 of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data. The information in this Privacy Statement is given pursuant to Articles 15 and 16 of the Regulation 2018/1725.

1. Nature and the purpose(s) of the processing operation¹

The purpose(s) of the processing of personal data is/are:

The Staff Committee of EMSA, has launched a fundraising campaign from 03/01/2023 to 31/01/2023 to buy diesel/petrol electricity generators (at least one) to donate to Ukraine. The external third party was chosen (GoFundMe) with the view of providing maximum transparency on donations and total amounts received, which can then be matched to invoices/proofs of donation.

The EMSA Staff Committee has contacted the Embassy of Ukraine in Lisbon, who provided guidance on what products are needed. In an achievable price range, there are 6-7 kWt generators, which are priced at around 1,500 EUR each.

The Embassy itself doesn't organise transportation to Ukraine from Portugal, but they can receive delivery of generators and then organise delivery via the Ukrainian organisations in Lisbon. The options for the conclusion of this initiative are:

- If EMSA staff collectively contributes enough funds for one generator, then that is what EMSA Staff Committee will donate;
- If not enough is received for one generator, EMSA Staff Committee will donate the funds to Humanitarian Aid for Ukraine (bank.gov.ua)
- If enough is received for one, but not enough for two generators, EMSA Staff Committee will donate the difference to Humanitarian Aid for Ukraine (bank.gov.ua)

The initiative involves processing of personal data.

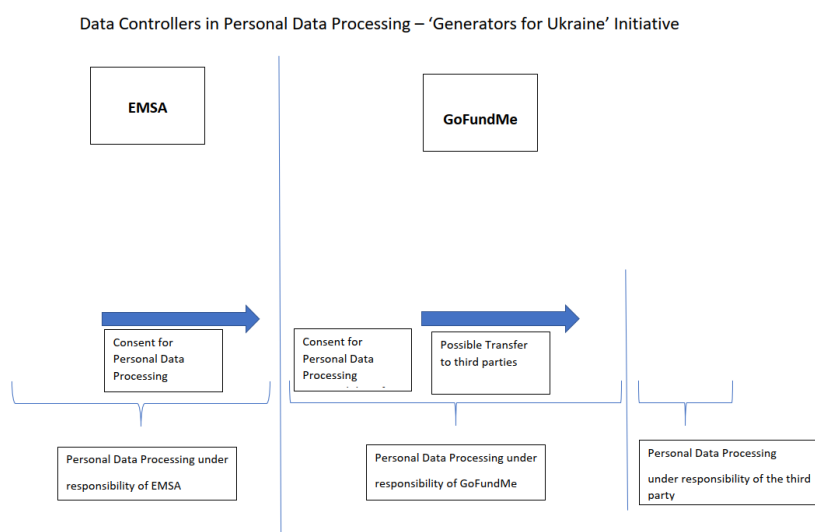
The names of staff members who have voluntarily contributed to the donation drive are shared publicly, if and only if authorised by the staff member when making a donation.

¹ Please, provide a brief description of the processing operation and clearly define the purpose(s).

The names of staff members who have voluntarily contributed to the donation drive can be seen by the staff member who created the donation drive, if and only if authorised by the staff member when making a donation.

Since EMSA ICT platforms and e-mailing system is used to advertise the initiative and the staff is donating funds identifying themselves as EMSA staff, the Agency acts as a Data Controller up to the moment the staff enters the system of the company GoFundMe for the purposes of donating and gives their consent to the processing of their data to GoFundMe.

The responsibilities of the Agency as a Data Controller are described below:



EMSA will not reuse the personal data for another purpose that is different to the one stated above.

The processing is not intended to be used for any automated decision making, including profiling.

2. Categories/types of personal data processed

The categories/types of personal data processed are the following:

Personal details: Name and email address.

Processing the personal data

The processing of the personal data is carried out under the responsibility of the Staff Committee, however The Head of the Executive Office is acting as delegated EMSA data controller pursuant to the provision of Art.2 of the *Implementing Rules Concerning the Protection of Personal Data at EMSA*.

- Personal data are processed by EMSA and the co-controller [GoFundMe](#).

4. Access to and disclosure of personal data

The personal data is disclosed to the following recipients:

- Data subjects themselves
- The designated EMSA Staff Members;
- Public if authorised by the data subject
- Operators of the platform used – GoFundMe and their third parties and processors as per the point “OUR DISCLOSURE OF INFORMATION COLLECTED THROUGH THE SERVICES” of their [Privacy Notice](#)

The information concerning ‘**Generators for Ukraine**’ Initiative will only be shared at EMSA with people necessary for the implementation of such measures *on a need-to-know* basis. The data are not used for any other purposes nor disclosed to any other recipient.

Personal data will be transferred to third countries – the United States. They are stored on the servers of the third-party platform, GoFundMe, which are hosted in the United States.

5. Protecting and safeguarding personal information

EMSA implements appropriate technical and organisational measures in order to safeguard and protect data subjects’ personal data from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to them.

All personal data related to the names and e-mails address of staff members who have donated are not stored by EMSA. The data is stored on the servers of the platform and appropriate levels of access are granted individually only to the above recipients as per their [Privacy Notice](#).

6. Access, rectification, erasure or restriction of processing of personal data

Data subjects have the right to access, rectify, erase, and receive their personal data, as well as to restrict and object to the processing of the data, in the cases foreseen by Articles 17 to 24 of the Regulation 2018/1725.

If data subjects would like to exercise any of these rights, they should send a written request explicitly specifying their query to the co-controller: DPO@gofundme.com.

7. Legal basis for Data processing

Processing is based on Article 5 (d) of the Regulation 2018/1725.

8. Storing Personal data

EMSA does not keep personal data longer than necessary for the purpose(s) for which that personal data is collected.

The data is not retained by EMSA.

The external third-party co-controller processor's retention is detailed in the point RETENTION OF YOUR INFORMATION of the GoFundMe [Privacy Notice](#).

It states that GoFundMe retain the data subject's information for as long as they deem necessary for the purpose for which that information was collected and for their legitimate business operations; provided, however, that the data subject's information is only retained to the extent permitted or required by applicable laws.

When GoFundMe no longer need to retain data subjects' information, they will take reasonable steps to remove it from their systems and records and/or take steps to anonymise it so that data subjects can no longer be identified from it in accordance with their internal document retention policies.

9. Data protection points of contact

Should data subjects have any queries/questions concerning the processing of your personal data until the submission of the donation, they should address them to the data controller, Head of Executive Office under the following mailbox: Staff.Committee@emsa.europa.eu .

Should data subjects have any queries/questions concerning the processing of your personal data after the submission of the donation, they should address them to the data co-controller, under the following mailbox: DPO@gofundme.com

Any data subject may also consult EMSA Data Protection Officer at: DPO@emsa.europa.eu.

Recourse:

Complaints, in cases where the conflict is not resolved by the Data Controller and/or the Data Protection Officer, can be addressed at any time to the European Data Protection Supervisor: edps@edps.europa.eu.