

Data Protection Statement/Privacy Statement on the processing of personal data in the context of the CISE Cooperation Agreement

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 number 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 number 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.

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

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

A Cooperation Agreement (hereby the Agreement) regulating the exchange of information within the Common Information Sharing Environment (CISE) network was drafted by a dedicated working group including representatives of EU Member States and EU Agencies coordinated by EMSA and was approved by the CISE Stakeholder Group (CSG) members at the 6th CISE CSG meeting (9 and 10 February 2021).

On 26/03/2021, EMSA contacted CSG member authorities to invite them to sign the Agreement and to specify their respective roles in Appendix 1 of the Agreement.

As per Article 3.4.b of the Agreement, whenever a new Party signs it, the CISE Secretariat is responsible for circulating the new version of the Agreement to all Parties. To this end, a specific form was set up with the aim to collect personal data of the representatives of all signatory Parties.

This personal data form is sent via-email to those stakeholders returning a signed copy of the Agreement including Appendix 1 to the CISE Secretariat (cise@emsa.europa.eu).

The personal data contained in the form is processed with the sole purpose of enabling the CISE Secretariat to circulate via e-mail and via the collaborative platform in Microsoft Teams the new version of the Agreement to all signatory Parties including the members of the CISE Stakeholder Group. Contact details of Parties representatives might be shared solely with the other Parties to the Agreement and CISE Stakeholder Group members.

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: title, name, surname, job title, organisation, country, e-mail address.

3. Processing the personal data

The processing of the personal data is carried out under the responsibility of the Head of Department 2 acting as delegated EMSA data controller.

Personal data are processed by EMSA designated staff.

4. Access to and disclosure of personal data

The personal data is disclosed to the following recipients:

The information concerning the personal data of the CISE Cooperation Agreement's Parties representatives will only be shared with the relevant stakeholders which include signatory Parties to the Agreement and members of the CISE Stakeholder Group members.

The data are not used for any other purposes nor disclosed to any other recipient.

The information in question will not be communicated to third parties, except where necessary for the purpose(s) outlined above. Personal data are not intended to be transferred to third countries.

5. Protecting and safeguarding personal information

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

All personal data related to the signatory Parties to the Cooperation Agreement are stored in secure IT applications according to the security standards of the Agency as well as in specific electronic folders accessible only to the authorised recipients. Appropriate levels of access are granted individually only to the above recipients.

Paper documents are kept in safe cupboards in the offices of the responsible Officer and the key for each cupboard is held individually by each responsible Officer.

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 abovementioned Regulation number 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.

If data subjects would like to exercise any of these rights, they should send a written request explicitly specifying their query to the delegated data controller, Head of Department 2.

The right of rectification can only apply to inaccurate or incomplete factual data processed within the completion of the CISE Transitional Phase.

The above requests will be answered without undue delay, and in any event within one month of receipt of the request. However, according to article 14 (3) of the abovementioned Regulation number 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, that period may be extended by two further months where necessary, taking into account the complexity and number of the requests. EMSA shall inform the data subject of any such extension within one month of receipt of the request, together with the reasons for the delay.

7. Legal basis for Data processing

Processing is based on Article(s)5 (a) of the abovementioned Regulation number 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 task attributed to EMSA is stated in Article 2(2)(d) of Regulation (EC) No 1406/2002 establishing a European Maritime Safety Agency, "The Agency shall support the Commission in the performance of any other task assigned to the Commission in legislative acts of the Union regarding the objectives of the Agency", further defined in the following documents:

- the Grant Agreement for "Setting up and enabling the transition phase to CISE Operations" (agreement number SI2.801889)
- the Grant Agreement for "Common Information Sharing Environment (CISE) transition" (agreement number SI2.833747)
- the "CISE Transitional Phase: Governance Structure" document agreed by The Member States Experts Sub-Group on the Integration of Maritime Security and Surveillance (MSeG)
- the "CISE Transitional Phase: Activities" document agreed by MSeG.

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 will be only retained for a maximum period of 5 years in accordance with EMSA Records Management Policy and Procedure.

In the event of a formal appeal, all data held at the time of the formal appeal should be retained until the completion of the appeal procedures.

9. Data protection points of contact

Should data subjects have any queries/questions concerning the processing of your personal data, they should address them to the data controller, Head of Department 2 under the following mailbox: cise@emsa.europa.eu.

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.