

SPECIFIC PRIVACY STATEMENT

ELECTRONIC RECORDING AND REPORTING SYSTEM (ERS)

DATA EXCHANGE

OBJECTIVE OF DATA PROCESSING AND LEGAL BASES

The Electronic Recording and Reporting System (ERS) is used to record, report, process, store and send fisheries data (catch, landing, sales and transshipment). It provides at regular intervals electronic logbook data of fishing vessels to the fisheries authorities of the Member States. These data allow monitoring behaviour and catch amounts of fishing vessels in real-time, in particular for control purposes. The data are mainly managed by the Member States' Fisheries Monitoring Centres (FMCs). For ease of exchanging ERS data between the FMCs, a central system hosted on the Commission servers is used. In specific cases ERS data are addressed to the Commission.

At the Commission, the data are processed under the responsibility of the Head of Unit MARE/D4 (Directorate-General for Maritime Affairs and Fisheries, Directorate D: Mediterranean and Black Sea), acting as the Controller.

The legal bases for such processing are in particular the following:

- Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, in particular Art. 111 (1) and (2).
- Commission Implementing Regulation (EU) No 404/2011 of 8 April 2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy, in particular Art. 43 (1) and Art. 45 (3).
- in the context of international agreements:
 - for NAFO: the Council Regulation No 538/2008 amending the Regulation 1386/2007 laying down conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation;
 - for NEAFC: the Regulation No 1236/2010 of the European Parliament and the Council laying down a scheme of control and enforcement applicable in the area covered by the Convention on future multilateral cooperation in the North-East Atlantic fisheries.

As ERS data processed and managed by the Commission may involve personal data, [Regulation \(EC\) 45/2001](#), of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data, is applicable.

WHAT KIND OF PERSONAL DATA DOES THE COMMISSION COLLECT AND THROUGH WHICH TECHNICAL MEANS?

Identification Data

The ERS data processed contain the name of the vessel master declaring the logbook information and in some cases the vessel master's postal address. If the ERS data is combined with data available in the Fleet Register, it is possible to identify the name and address of the vessel owner and agent related to the ERS declarations.

Technical means

The data are mainly managed within the Member States' Fisheries Monitoring Centres (FMCs), but in some cases the data are provided to the Commission services. For the purposes of exchanging ERS data between FMCs, a central system hosted on the Commission servers is used (a kind of digital postal box).

WHO HAS ACCESS TO YOUR INFORMATION AND TO WHOM IS IT DISCLOSED?

ERS data are mainly managed by the Member States' Fisheries Monitoring Centres. In specific cases data are addressed to the Commission. Then only authorised staff members of DG MARE have access to ERS data.

In the context of international agreements, ERS data are exchanged via secured channels with third countries and international organisations (Regional Fisheries Management Organisations - RFMOs) and are only managed in secure systems and solely used for inspection and surveillance purposes.

HOW CAN YOUR PERSONAL DATA BE VERIFIED, MODIFIED OR DELETED?

In case you want to verify which personal data is stored on your behalf by the responsible Controller, have it modified, corrected or deleted, please contact the Controller by using the Contact Information below and by explicitly specifying your request.

HOW LONG DO WE KEEP YOUR DATA?

Your personal data processed by the central system will remain in the database until the transmission of ERS message is finalized (successful transmission takes a couple of seconds; in case of malfunctioning system, the transmission will be repeated up to a week).

In case of ERS data addressed to the Commission, the data are stored for duration of the processing and analysis but no longer than two years for specific cases unless there are on-going legal proceedings in which the data are needed to support the findings.

CONTACT INFORMATION

In case you wish to verify which personal data is stored on your behalf by the responsible Controller, have it modified, corrected, or deleted, or receive any related to you information processed in the context of the ERS data exchange, or on your rights, feel free to contact the support team, operating under the responsibility of the Controller, using the following contact information:

European Commission
DG Maritime Affairs and Fisheries
Unit D4, Head of Unit
B – 1049 Brussels
Belgium
E-mail: MARE-D4@ec.europa.eu

RECOURSE

Complaints, in case of conflict, can be addressed to the [European Data Protection Supervisor](#).