

SPECIFIC PRIVACY STATEMENT

VESSEL MONITORING SYSTEM (VMS) – DATA EXCHANGE

OBJECTIVE OF DATA PROCESSING AND LEGAL BASES

The vessel monitoring system (VMS) is a satellite-based monitoring system which at regular intervals provides data to the fisheries authorities of the Member States on the location, course and speed of vessels. These data allow monitoring behaviour of fishing vessels in real-time, in particular for control purposes. The data are mainly managed by the Member States' Fisheries Monitoring Centres, but in specific cases the data are provided to the Commission services. Such transmission occurs for instance for the purposes of monitoring fisheries activities in a wider international context, for which VMS data are forwarded to DG MARE in real-time. Another case is, when VMS data are requested in the context of a specific investigation and provided by the Member State as a file containing VMS positions. 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 transmissions are in particular the following:

- The 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;
- The Council Regulation (EC) No 302/2009 of 6 April 2009 concerning a multiannual recovery plan for Bluefin tuna in the eastern Atlantic and Mediterranean, amending Regulation (EC) No 43/2009 and repealing Regulation (EC) No 1559/2007;
- in the context of international agreements:
 - for NAFO: the Council Regulation 2008/538 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 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 VMS 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 VMS data processed contain the vessel identifiers. They relate to an identifiable person once combined with data available in other databases, e.g. the Fleet Register and Electronic Recording and Reporting System (ERS). The following personal data are concerned:

- Vessel identifier (directly)

- Vessel owner's and agent's name and address (indirectly)
- Vessel master's name and address (indirectly)

Technical means

The data are obtained from the Member States' Fisheries Monitoring Centres (FMCs) which collect the data. The management of the data processed by the Commission is automatic and only occasionally manual by means of Excel or text files by e-mail in a secured environment in the premises of the Commission.

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

The direct recipients of data sent by the Member States are staff members of DG MARE.

In the context of international agreements, VMS 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 will remain in the database until they have been completely analysed, which is two weeks in general and no longer than two years for specific cases, unless there are an 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 VMS 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](#).