



PRIVACY STATEMENT FOR TAIEX OPERATIONS: PROTECTION OF YOUR PERSONAL DATA

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1. Introduction

This privacy statement explains the reason for the processing, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you may exercise in relation to your data (the right to access, rectify, block etc.).

The European institutions are committed to protecting and respecting your privacy. As this service/application collects and further processes personal data, Regulation (EC) N°45/2001¹, 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.

This statement concerns the processing of personal data through the **T**echnical **A**ssistance and **I**nformation **E**Xchange (TAIEX) Management System (TMS), and the TAIEX Expert Database (TED); undertaken by the Institution Building Unit, TAIEX and Twinning (IBU) under the authority of the Head of Unit acting as the Controller, Directorate Neighbourhood East, Directorate General Neighbourhood and Enlargement Negotiations (DG NEAR).

2. Why do we process your data?

Purpose of the processing operations: Ms. Heike Gerstbrein, Head of IBU (referred to hereafter as Data Controller) collects and uses your personal information for the arrangement and the organisation of TAIEX workshops, expert missions, study visits, work from home and peer review missions through the TMS, an operating system designed to automate the organisation of TAIEX events, separate but complimentary to the TED. The tasks undertaken imply dealing with invitations, participants, experts, reports, publications, and logistical arrangements and payment for flights, accommodation, conference facilities and allowances. In support of TAIEX operations the management of contact lists of TAIEX National Contact Points (NCPs), the permanent representation to the European Union of beneficiaries of the Enlargement and Neighbourhood Instruments and TAIEX Member State (MS) CPs for liaison and information sharing is also undertaken.

¹ [Regulation \(EC\) N° 45/2001](#) (OJ L8 of 12/01/2001).

The purpose of the processing of personal data in relation to the TED is that in order to meet the requests for TAIEX events, the IBU relies in the main on MS Public Sector Experts, and on an exceptional basis (in cases where the expertise cannot be found in the public sector), on Private Sector Experts from a MS. The TED therefore acts as a repository of information about MS Public Sector Experts and Institutional CPs.

The processing operations on personal data linked to the organisation and management of these TAIEX activities are carried out within the mandate of the TAIEX instrument on the basis of the following legislation

Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11.3.2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action.

Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11.3.2014 establishing an Instrument for Pre-accession Assistance (IPA II).

Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11.3.2014 establishing a European Neighbourhood Instrument.

Council Regulation (EC) No 389/2006 of 27.2.2006 establishing an instrument of financial support for encouraging the economic development of the Turkish Cypriot community and amending Council Regulation(EC) No 2667/2000 on the European Agency for Reconstruction.

Regulation (EU) No 234/2014 of the European Parliament and of the Council of 11.3.2014 establishing a Partnership Instrument for cooperation with third countries.

Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17.12.2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No1083/2006; Regulation (EU) No 1304/2013 of the European Parliament and of the Council of 17.12.2013 on the European Social Fund and repealing Council Regulation (EC) No 1081/2006.

The processing of the personal data is lawful and necessary under Articles 5(a), 5(c) and 5(d) of Regulation (EC) N° 45/2001. No processing of personal data falling under Article 10 of Regulation (EC) N° 45/2001 will be carried out.

The data will in particular be processed in compliance with Article 4.1 (b) of Regulation (EC) N° 45/2001.

The processing of personal data does not fall under Article 27.2 (b) and has therefore not been "Prior-Checked" by the EDPS²

² *European Data Protection Supervisor (EDPS) (Website: <https://secure.edps.europa.eu/EDPSWEB/edps/EDPS>)*

3. Which data do we collect and process?

The personal data collected and further processed are provided on a voluntary basis by the data subject (in this case you) or by an authorised person with the permission of the data subject.

The data subjects concerned are:

Participants in TAIEX events; the local co-organiser, the authorised representatives of the beneficiary institution requesting the assistance; public and private sector experts; host institution representatives; TAIEX Contact Points (CPs) in EU Member States, National CPs from the beneficiaries; representatives from international organisations; representatives of the permanent representation to the EU of beneficiaries of the Enlargement and Neighbourhood Instruments.

The personal data collected and further processed are:

A) For participants in TAIEX events

All participants included in the "Participant Registration Tool" are requested to provide the following data:

Formal Title; First Name; Family Name; Institution Name; Street 1; Postal Code; City; Country; Email; and Telephone.

In cases where an "accommodation/travel list" is provided, participants are requested to provide the following data:

Family Name; First Name; City; Distance from City to venue; Check in Date; Check Out Date; Flight Requested Y/N; Preferred Airport; Car Y/N; Public Transport Y/N; and Comment.

Where participant registration forms are utilised, the following data is requested:-

Country; Title; First Name; Family Name; Institution Name; Department; Function; Office Address; Post Code / City; Office Telephone; Office Fax; Mobile Phone; Email; Preferred method of Travel and Airport of Departure; and Request for a Hotel Y / N.

None of the above data fields fall under Article 10 of Regulation (EC) 45/2001.

B) For the local so-organiser and the authorised representatives of the beneficiary institution requesting the assistance

Authorised representatives are requested to provide the following data:

Formal Title; First Name; Family Name; Institution Name; Function; Office Address; Postal Code; City; Country; Telephone and Email.

None of the above data fields fall under Article 10 of Regulation (EC) 45/2001.

C) For public and private sector experts and host institution representatives

Experts invited to attend an event are requested to provide the following data:-

Country ; Title ; First Name ; Family Name ; Institution Name ; Department ; Function ; Office Address ; Post Code / City ; Office Telephone ; Office Fax ; Mobile Phone ; Email ; Bank Details; Name / Address of Bank ; Name of beneficiary account holder ; IBAN code ; and

SWIFT/BIC code ; Preferred method of Travel and Airport of Departure ; and Request for a Hotel Y / N.

Host institution representatives and experts who register themselves on the TED are requested to provide the following data:

Title ; Last Name ; First Name ; Telephone number ; Email ; Fax number ; Working Languages; Institution ; Department ; Office Address ; Post Code ; City ; Country ; Expertise Data ; Curriculum Vitae ; and EU Legislation of Expertise.

None of the above data fields fall under Article 10 of Regulation (EC) 45/2001.

D) TAIEX CP's in EU Member States, beneficiaries or international organisations and the permanent representation to the EU of beneficiaries of the Enlargement and Neighbourhood Instruments are requested to provide the following data:-

Country; Category; Surname; First Name; Email; Telephone/fax and Institution/Address.

None of the above data fields fall under Article 10 of Regulation (EC) 45/2001.

4. How long do we keep your data?

Ms. Heike Gerstbrein only keeps the data for the time necessary to fulfil the purpose of collection or further processing.

The personal data of all attendees of a TAIEX event which includes the participants and experts as well as the representative of the Host Institution in the case of study visits, and the authorised representatives of the beneficiary institution will be held on the TMS for a period of 6 years to allow for historical, statistical and reference purposes. The personal data of suppliers and institutions (including natural persons) uploaded to the TMS by the Commission's service provider will be treated in the same manner irrespective of whether they were remunerated or not. Photos / pictures, presentations, live web streaming and/or audio and video recording of experts and participants will be treated in the same manner. The agreed agenda is saved on the TMS and may include the names of the expert speakers, local speakers and the persons chairing the event. Copies of this are issued to each participant and are also made available on the TAIEX website. Presentations made in workshops will be saved on the TMS and will be published on the TAIEX website and may include personal data of the expert who undertook the presentation. Following this period of time the personal data will be encrypted.

The decoding of these files will require the agreement of the Data Controller and each request will be logged. In cases where the Data Controller agrees the personal data will be decoded for use by the requesting person or organisation. Prior to the data being re-encrypted a copy of the relevant part of the log will be added to the decoded file, prior to being re-encrypted. The data will be transferred to the archives of DG NEAR for a period of ten years following their delivery to the Document Management Office. The date of delivery to the archives is dependent on the date of closure (including the period of grace to conclude all outstanding transactions) of the contract with the IBU's service provider as regulated by the Commission's Financial Regulations. Following this period the files containing the data will either be deleted or transferred to the Commission's Historic Archive. In cases where the period of 6 years to allow

for historical, statistical and reference purposes has not been reached, a copy of the relevant TAIEX events will be retained on the TMS until the end of the 6 year period. These files will be transferred annually to the archives, on the anniversary of the closure of the contract with the service provider.

The personal data of experts and ICPs registered on the TED should be updated by the expert or the ICP themselves on an annual basis so that they remain up to date. The registration will become inactive after a period of 2 years from the date of registration, or from the last update of the registration, or from the last date that the expert or ICP was included on a TAIEX event, whichever is the latest. In cases where the data becomes inactive, the data will be moved to an inactive file and deleted one year later. While the registration is active the data will be retained in the TED and will be utilised for TAIEX events irrespective of the contracted service provider.

The personal data of TAIEX CP's in EU Member States, beneficiaries or international organisations and the permanent representation to the EU of beneficiaries of the Enlargement and Neighbourhood Instruments will be retained in the TMS and will be utilised for TAIEX events irrespective of the contracted service provider, until such time as the IBU is advised that the person has been replaced by another person. The personal data of the replaced person will then be deleted from the TMS. In cases where the person has been consulted in relation to an event this information will have been saved to the event files and will be retained as part of the event on the TMS as detailed above.

5. How do we protect your data?

All data in electronic format (e-mails, documents, uploaded batches of data etc.) are stored either on the servers of the European Commission or of its contractors; the operations of which abide by the European Commission's security decision of 16 August 2006 [C(2006) 3602] concerning the security of information systems used by the European Commission;

The Commission's contractors are bound by a specific contractual clause for any processing operations of your data on behalf of the Commission, and by the confidentiality obligations deriving from the transposition of Directive 95/46/CE in Belgium and Austria where the IBU related Commission's contractors are located.

6. Who has access to your data and to whom is it disclosed?

Access to your data is provided to authorised staff according to the "need to know" principle. Such staff abide by statutory, and when required, additional confidentiality agreements.

All staff in the IBU working on the TAIEX instrument have full access rights (read, write and update) to the data in the TMS.

The data in the TMS is made available to other Commission Services and EU institutions in line with Article 7.1 of Regulation (EC) 45/2001. In the case of new requests for data held in the TMS, this will be dealt with in line with Article 7.2 of Regulation (EC) 45/2001.

Extracts of the information contained in the TMS may be made available to Member State Administrations and other experts involved in TAIEX events in line with Article 8 of Regulation (EC) 45/2001.

Staff of the Service providers contracted by the Commission to undertake the logistical aspects of TAIEX events have read only access to the data uploaded by the IBU staff. In relation to the logistical aspects they have full access rights (read, write and update). The access to and treatment of the data is controlled through the contract entitled - Assistance for the implementation of TAIEX activities: provision of logistical services and financial management tasks with identification number EuropeAid/130779/C/SER/Multi. The protection of personal data is included under Article 12 of the Specific Conditions of the Contract which includes the following provision-:

"Any personal data included in the Contract shall be processed pursuant to Regulation (EC) No 45/2001 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".

Also as per Article 4.1.1 of Annex II Terms of Reference to Contract "EuropeAid/130779/C/SER/Multi" which includes the following provision:

... "The EU legislation applies with regard to the storage of data and data protection. The Commission has published a privacy statement which explains how personal data of individuals having participated in TAIEX activities are stored and managed together with the respective provisions taken to protect this data.

The privacy statement can be viewed at: http://ec.europa.eu/enlargement/taix/privacy-statement/index_en.htm

The Consultant shall ensure that its sub-contractors and the Consultant itself shall fully respect and apply the provisions laid down in the privacy statement" ...

Extracts of the information contained in the TMS may be made available to recipients other than Community institutions and bodies, which are not subject to Directive 95/46/EC. These recipients are in general the beneficiary institutions requesting the TAIEX event or persons contracted to assist at the venue of the event by the service provider. The transfer to these recipients is undertaken in line with Articles 9.6 (a) (c) and (d) of Regulation (EC) 45/2001.

No personal data will be transmitted to parties, which are outside the recipients mentioned in this privacy statement and the legal framework, without the prior consent of the data subjects.

7. What are your rights and how can you exercise them?

According to Regulation (EC) n°45/2001, you are entitled to access your personal data and rectify and/or block it in case the data is inaccurate or incomplete. You can exercise your rights by contacting the Data Controller, or in case of conflict the Data Protection Officer and if necessary the European Data Protection Supervisor using the contact information given at point 8 below. Please note that any person who has been linked to a TAIEX event may not have their data deleted, due to the necessity to retain a financial audit trail.

8. Contact information

If you have comments or questions, any concerns or a complaint regarding the collection and use of your personal data, please feel free to contact the Data Controller using the following contact information:

The Data Controller:

- Ms. Heike Gerstbrein
Head of Institution Building Unit TAIEX, Twinning
DG Neighbourhood and Enlargement Negotiations
European Commission
- Tel: +32 2 296 73 07
- Fax: +32 2 296 76 94
- Email: NEAR-TAIEX@ec.europa.eu

The Data Protection Officer (DPO) of the Commission: DATA-PROTECTION-OFFICER@ec.europa.eu

The European Data Protection Supervisor (EDPS): edps@edps.europa.eu.

9. Where to find more detailed information?

The Commission Data Protection Officer publishes the register of all operations processing personal data. You can access the register on the following link: <http://ec.europa.eu/dpo-register>

These specific processing has been notified to the DPO with the following references: DPO-1251 and DPO-3822.