

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 Twinning Instrument; undertaken by the Institution Building Unit, TAIEX, 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: The Data Controller collects and uses your personal information for the arrangement and the organisation of Twinning Projects. Twinning is an instrument for cooperation between Public Administrations of European Union (EU) Member States (MS) and of eligible beneficiaries, whose implementation is coordinated by the IBU. Twinning projects are joint projects of a grant nature, built around jointly agreed policy objectives, and their implementation is based on the transfer of expertise through the provision of training, advice,

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

guidance and other professional development initiatives to yield mandatory results. This is facilitated by the secondment of at least one Public Sector Official or representative from a MS institution (the Resident Twinning Advisor (RTA)) to deliver full time in-situ assistance to the beneficiary institution. In addition to the RTA, project leaders (PL's), one from the MS and the other from the beneficiary institution are involved in the process to ensure that the expertise provided achieves the results required as detailed in the Twinning covenant entered into between the MS institution and the beneficiary institution and funded by a Commission grant.

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

Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 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 March 2014 establishing a European Neighbourhood Instrument; and

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.

The processing of the personal data is lawful and necessary under Articles 5(a) 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.

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:

Twinning National Contact Points (NCP's), EU Delegation Twinning Contact Points (TCPs), Geographical Desk TCPs, Line DG TCPs, Members of Twinning Selection Committees, Representatives on the Twinning Steering Committees and any consultants utilised to assist in drafting the project fiche; as well as Public Officials who participate in activities of the Twinning instrument.

The personal data collected and further processed are as specified hereunder:

A) Twinning NCP's, EU Delegation TCP, Geographical Desk and Line DG TCP's, Members of the Twinning Selection Committee, Representatives on the Twinning Steering Committee and any consultants utilised to assist in drafting the project fiche,

are requested to provide the following data

Country ; Full Name ; Position ; Institution/Address ; Telephone/fax and Email.

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

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

B) Public officials from MS institutions and the beneficiary institution

are requested to provide the following data

A full up to date Curriculum Vitae for those directly involved in the implementation of Twinning activities and in other cases – Country ; Full Name ; Position ; Institution/Address ; Telephone/fax and Email.

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

C) Photos / pictures, presentations, live web streaming and/or audio and video recordings

Photos / pictures, presentations, live web streaming and/or audio and video recording of the Twinning project may be taken or made by any of the persons referred to under categories A) and B) above.

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

4. How long do we keep your data?

The Data Controller only keeps the data for the time necessary to fulfil the purpose of collection or further processing.

The personal data of all persons linked to a Twinning contract will be retained in the IBU for a period of seven years following the conclusion of the contract to allow for historical, statistical and reference purposes. This also applies to unsuccessful proposals from MS's. Any photos / pictures, presentations, live web streaming and/or audio and video recording of the Twinning project will be treated in the same manner. Following this period of time the personal data will be encrypted. The decoding of these files will require the agreement of the Controller and each request will be logged. In cases where the 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. 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 Twinning contract as regulated by the EC's Financial Regulations. Following this period the files containing the data will be deleted.

The personal data of NCPs for Twinning, EU Delegation TCPs, Geographical Desk TCPs, Line DG TCPs will be retained by the IBU until such time as the IBU is advised that the person has been replaced by another person. In cases where the person has been consulted in relation to a Twinning proposal or contract this information will have been saved and retained as described 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;

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.

Staff Members of the IBU assigned to work on Twinning have unrestricted access to the personal data for Twinning. The personal data may also be made available to other Commission Services and EU institutions. Twinning reports may be distributed to any organisation detailed in this privacy statement. Personal data of the TCP's is available on the Twinning website. The agreed contract is made available on the Common Relex Information System (CRIS) which is the EC's internal contract management system, and as such the data is available to any person who accesses CRIS. Periodically, the agreed contracts and project fiches are included on a CD-ROM entitled Twinning Thesaurus. All information relating to the Twinning projects are available to the stakeholders through the Twinning Community Tool Database. When required, access to personal data will also be provided to the European Court of Auditors, Internal and External Auditors, the European Ombudsman, the European Anti-Fraud Office and the European Data Protection Supervisor.

Transmission of the data are undertaken in line with Article 7.1 and 7.2 of Regulation (EC) 45/2001; Article 8 of Regulation (EC) 45/2001; and Articles 9.6 (a) and (c) 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. Requests of this nature will be responded to by the data controller within a period of three months. Please note that any person who has been linked to a Twinning project 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:

Unit C.3
DG NEAR, European Commission

- Tel: +32 2 296 73 07
- Fax: +32 2 296 76 94
- Email: NEAR-TWINNING@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>

This specific processing has been notified to the DPO with the following reference: DPO-1248.