

# EEAS PRIVACY STATEMENT

## for the purpose of the Selection and nomination of the confidential counsellors

### 1. **INTRODUCTION**

THE PROTECTION OF YOUR PRIVACY INCLUDING YOUR PERSONAL DATA IS OF GREAT IMPORTANCE TO THE EUROPEAN EXTERNAL ACTION SERVICE (EEAS), THEREBY REFLECTING THE PROVISIONS OF THE CHARTER ON FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION, AND IN PARTICULAR ITS ART. 8. THE PRESENT PRIVACY STATEMENT DESCRIBES WHICH MEASURES ARE TAKEN IN ORDER TO PROTECT YOUR PERSONAL DATA WITH REGARD TO THE ACTION INVOLVING THE PRESENT DATA PROCESSING OPERATION AND WHAT RIGHTS YOU HAVE AS A DATA SUBJECT. YOUR PERSONAL DATA ARE PROCESSED IN ACCORDANCE WITH REGULATION (EC) 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, AS IMPLEMENTED IN THE EEAS BY DECISION OF THE HIGH REPRESENTATIVE OF THE UNION FOR FOREIGN AFFAIRS AND SECURITY POLICY OF 8 DECEMBER 2011.. ALL DATA OF A PERSONAL NATURE - NAMELY DATA WHICH CAN IDENTIFY YOU DIRECTLY OR INDIRECTLY - WHICH YOU PROVIDE TO THE EEAS WILL BE HANDLED WITH THE NECESSARY CARE.

### 2. **PURPOSE OF THE PROCESSING OPERATION**

The purpose of the present processing operation is to select and nominate confidential counsellors.

### 3. **DATA PROCESSED**

The data which will be processed for that purpose refer to administrative files, that contain following documents:

- Application form
- Motivation letter
- Curriculum vitae
- Declaration on the honour
- Deliberations of the panel

During the selection of confidential counsellors, candidates may communicate spontaneously sensitive data. In such a case it is considered, according to EDPS's guidelines<sup>1</sup>, that candidates have given their express consent to the collection of these data and to their further processing.

### 4. **CONTROLLER OF THE PROCESSING OPERATION**

The controller<sup>2</sup> responsible for the processing operation is the EEAS Mediator.

### 5. **RECIPIENTS OF THE DATA**

The recipient of your data is the EEAS's Mediation Service and the selection panel.

### 6. **PROVISION, ACCESS AND RECTIFICATION OF THE DATA**

You have the right to access your personal data and the right to correct any inaccurate or incomplete personal data, as well as to request the removal of your personal data.

The EEAS will respond within 15 working days, in accordance with the administrative code of good conduct, to any request and if it is considered justified the relevant correction or deletion will be performed within one calendar month.

The Mediation Service will support any request to which its activities are associated.

<sup>1</sup> Guidelines of February 2011 concerning the processing of personal data during the selection of confidential counsellors and the informal procedures for cases of harassment in European institutions and bodies, paragraph 2, page 5.

<sup>2</sup> The controller is the organisational entity which determines the purpose and means of the processing of personal data.

The right of rectification of candidates to a selection of confidential counsellors shall be restricted to a period ending ten working days after the end of the deadline for the sending of documents regarding a given selection.

If you have any queries concerning the processing of your personal data, you may address them to the data controller at the following functional mailbox: EEAS MEDIATOR ([EEAS-MEDIATOR@eeas.europa.eu](mailto:EEAS-MEDIATOR@eeas.europa.eu))

## **7. LEGAL BASIS**

### **Legal basis**

Articles 1 and 31(1) of the EU Charter of Fundamental Rights.

Article 1d, Article 12a, Article 24, Article 86, Article 90 (1) and (2) of Staff Regulation.

Article 11 of the Conditions of Employment of Other Servants.

Mandate of the EEAS Mediation Service of 25 October 2012.

Commission Decision of 26 April 2006, on the European Commission policy on protecting the dignity of the person and preventing psychological harassment and sexual harassment, made applicable to the EEAS by the Decision of the Chief Operating Officer of 29 November 2011 to extend the application of certain Commission rules developing the provisions of the Staff Regulations and of the Conditions of Employment of Other Servants to the EEAS.

### **Lawfulness of processing**

According to Article 5(a) of Regulation (EC) No 45/2001, processing must be «*necessary for the performance of a task carried out in the public interest on the basis of the Treaties establishing the European Communities or other legal instruments adopted on the basis thereof or in the legitimate exercise of official authority vested in the Community institution*».

The selection of confidential counsellors is put in place to fight psychological and sexual harassment. That task is carried out in the public interest of the EEAS. The processing operations put in place contribute to their management of resources and functioning of the institution.

Article 5 (b), (d) and (e) are also applicable.

Article 27.2 a) and b) is applicable.

Good administrative practices in the framework of the Treaty of Lisbon and the Council Decision of 26 July 2010 establishing the organisation and functioning of the European External Action Service (2010/427/EU) available on [http://www.eeas.europa.eu/background/docs/eeas\\_decision\\_en.pdf](http://www.eeas.europa.eu/background/docs/eeas_decision_en.pdf)

## **8. TIME LIMIT FOR STORING DATA**

In the context of the selection and nomination of confidential counsellors, files concerning non selected counsellors are kept for one year after the end of the panel's deliberations. Data concerning the selected confidential counsellors are kept for the duration of their mandate.

## **9. CONTACT**

In case you have questions related to the protection of your personal data, you can also contact the EEAS' Data Protection Office at [data-protection@eeas.europa.eu](mailto:data-protection@eeas.europa.eu).

## **10. RECOURSE**

You have at any time the right of recourse to the European Data Protection Supervisor at [edps@edps.europa.eu](mailto:edps@edps.europa.eu).