

EEAS Personal Data Processing Record

Ref. Article 31 of Regulation (EU) 2018/1725 - Legal obligation for maintaining records

1	Title of the processing activity	Processing medical data of Civilian Crises Management Mission Members and candidates for contracted positions in civilian CSDP Missions by EEAS Civilian Planning and Conduct Capability Medical Team
2	Update of the record (last modification date)	09/04/2021
3	Register reference number	2801
4	Identity and contact details of the Data Controller Joint Controller (if applicable) Data Processor (if applicable)	<p>DATA CONTROLLER</p> <p>European External Action Service Rond Point Schuman 9A, 1046 Brussels, Belgium</p> <p>Data Controller entity: Civilian Planning and Conduct Capability Directorate (CPCC) Medical Team CPCC 'Security and Duty of Care' under the Civilian Operations Commander</p> <p>CPCC-MEDICAL@eeas.europa.eu</p> <p>JOINT CONTROLLER / PROCESSOR: N/A</p> <p>DATA PROTECTION OFFICER</p> <p>EEAS Data Protection Officer Emese Savoia-Keleti DATA-PROTECTION@eeas.europa.eu</p>
5	Identity and contact details of the Data Protection Officer	<p>EEAS Data Protection Officer (DPO): Emese Savoia-Keleti. SG.AFFGEN.DPO Functional Mailbox of the DPO: DATA-PROTECTION@eeas.europa.eu</p>

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6	Purpose of the processing activity	<p>The overall objective of the processing activities covered by this Record Processing medical data of Civilian Crises Management (CSDP) Mission Members and candidates selected for contracted positions in civilian CSDP Missions by the Medical Team of the Civilian Planning and Conduct Capability Directorate (CPCC) of the EEAS is to ensure that the duty of care is properly discharged in all Civilian Crises Management Missions, and to uphold that Missions Members (MMs) are safe and accounted for.</p> <p>The Medical Team is bound by medical confidentiality.</p> <p>Medical data may be processed for the following categories of data subjects:</p> <ul style="list-style-type: none"> - Mission Members (contracted and potentially temporary) of CSDP Missions - Selected candidates (contracted and potentially temporary) for a position in CSDP Missions - Selected candidates (contracted) for a position in a Mission which has not yet been legally established <p>Medical data of data subjects may be processed for the following purposes:</p> <ol style="list-style-type: none"> 1. Fit to work clearance procedure <p>The Fit to work clearance procedure is a medical procedure to assess whether a selected candidate for an international contracted position in a civilian CSDP Mission is healthy and can perform a specific job or task, without being a hazard to him/herself and/or to others. International contracted Mission Members have to comply with the Fit to work clearance procedure during their term in the Missions as well. A priori medical data will be processed by the Mission's Medical Team. However if an individual is selected for a position before the Mission is legally established or the Mission's Medical Advisers do not agree with the opinion on the fitness provided by the general practitioner of the data subject, the CPCC Medical Team may also handle the medical data.</p> 2. Related to COVID-19 and the task of CPCC Corona Task Force <p>The CPCC Corona Task Force (CTF) was set up by the Civilian Operations Commander (CivOpsCdr)/Director of the CPCC to collect and assess information on general Covid-19 developments, advise CPCC's management and provide guidance to CSDP Missions. Whilst handling individual requests from Missions related to COVID-19, medical data of mission members may be processed by the Medical Team of the CPCC with the purpose of making recommendations to the CTF on medical evacuation, relocation, return, departure/end of tour of duty/contracts of MMs and deployment of selected candidates. These requests particularly concern MMs and selected candidates with higher exposure to COVID-19 virus due to their health conditions. The Privacy Statement related to the data processing activity of Corona Task Force available on the website of the EEAS: https://eeas.europa.eu/headquarters/headquarters-homepage/3033/privacy-statements_en</p> 3. Consultation by Mission Medical Advisers <p>Occasionally, on a case by case basis, the Mission's Medical Team may consult the CPCC Medical Team on medical evacuation, relocation, return, departure/end of tour of duty/contracts of MMs and deployment of selected candidates as well as on health conditions and ongoing treatments of both category of individuals.</p> <p>Update based on privacy statement:</p> <p>The dedicated functional mailbox used by the CPCC Medical team: CPCC-Medical@eeas.europa.eu</p>
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7	Legal basis and lawfulness	<p>Data, including health-related information is processed pursuant to Article 10.2 (b),(c), (g), (h) and, in particular (i) public interest in the area of public health, as well as to Art. 10.3, in addition to Art. 5.1 (a) necessity for the public interest in the exercise of duty of care and Art. 5.1 (e) vital interest of individuals.</p> <p>Legal reference:</p> <ul style="list-style-type: none"> - 2010/427/EU Council Decision of 26/07/2010 establishing the organisation and functioning of the European External Action Service (OJ L 201) - Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community (OJ 45, 14.6.1962, p. 1385) - Council Decisions establishing the respective Civilian CSDP Missions <p>CivOpsCdr instruction 08-2018 on the medical procedure for contracted staff of civilian CSDP Missions</p>
8	Categories of individuals whose data is processed - Data subjects	<ul style="list-style-type: none"> - Mission Members (contracted and potentially temporary) of CSDP Missions - Selected candidates (contracted and potentially temporary) for a position in CSDP Missions - Selected candidates (contracted) for a position in a Mission which has not yet been legally established
9	Categories of data - Data processed	<p>Personal data which may be processed for the above purposes are the following:</p> <p>Administrative data:</p> <ul style="list-style-type: none"> - Identification and contact data (such as name, category of staff, nationality, age, place of origin, family status, phone number, e-mail address) - Assignment-related data (Such as date of deployment, relocations, withdrawal, start end date of the tour of duty/contract, travel history). <p>Medical data</p> <ul style="list-style-type: none"> - Medical data included in the Medical Clearance Form (Annex to the Fit to work clearance procedure); - Individual medical files; - Medical opinions (reports from General Practitioner, Medical Specialists, Medical expertise, Psychologist; Hospitalisation report); - Medical and health related data in relation to COVID-19 pandemic situation (contamination and vaccination) and in particular data on the status of vulnerability;

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10	Recipients of data – Access to data	<p>The recipients of the data are:</p> <ul style="list-style-type: none"> - CPCC Medical Team (CPCC Medical Advisers/Coordinators). <p>The data may be received, on a need to know basis and in duly justified cases by:</p> <ul style="list-style-type: none"> - Dedicated members of CPCC management and of CPCC administrative staff - EEAS Medical Cell or other medical doctor assigned by CPCC for consultation during the Fit to work clearance procedure - Health insurance company providing health care service for CSDP Missions <p>The given information will not be communicated to third parties, except in the following occasions and in the interest of the person concerned:</p> <ul style="list-style-type: none"> - To the dedicated medical experts assigned by the seconding authorities upon their explicit request - To medical providers where the person concerns is treated or about to be treated; - To the Medical Team of the CPCC in the course of the Fit to work clearance if consultation with it is triggered by the Medical Advisers of a Mission, for example when the Mission's Medical Advisers do not agree with the opinion on your fitness provided by your general practitioner or if the Mission is not yet legally established. <p>Primarily no transfer of data to Third Countries. In general, data is not transferred, but received from the hospital in Member States or host countries. Data may be transferred to:</p> <ul style="list-style-type: none"> - other medical doctor assigned by CPCC for consultation during the Fit to work clearance procedure - Health insurance company providing health care service for CSDP Missions - To authorities of the host country of the Mission, among others, related to COVID vaccination or accreditation purposes <p>Any transfer, in particular international transfers are to be implemented with appropriate safeguards, including contractual clauses, agreements with third countries or derogations for specific cases.</p>
11	Transfer to Third Countries or International Organizations (IOs) and suitable safeguards (if applicable)	<p>Primarily no transfer of data to Third Countries. In general, data is not transferred, but received from the hospital in Member States or host countries. Data may be transferred to:</p> <ul style="list-style-type: none"> - other medical doctor assigned by CPCC for consultation during the Fit to work clearance procedure - Health insurance company providing health care service for CSDP Missions - To authorities of the host country of the Mission, among others, related to COVID vaccination or accreditation purposes <p>Any transfer, in particular international transfers are to be implemented with appropriate safeguards, including contractual clauses, agreements with third countries or derogations for specific cases.</p>

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12	Time limit for keeping the data - Retention period	<p>Data, including medical data, collected in the context of the Fit to work procedure and occasionally, on a case by case basis are kept for 30 years after the termination of the contract/tour duties of the person concerned. Retention periods necessary for specific medical documents can be considered on a case by case basis. The retention periods could be also determined in relation to the nature of the respective document and the necessity to keep the particular data.</p> <p>Medical data collected in the context of the COVID-19 emergency situation is intended to be kept not longer than necessary for that specific purpose. Data should accordingly be retained only as long as the crisis situation related to the pandemic is upheld with a subsequent technical retention until deletion, destruction or anonymisation of data could be implemented, foreseen within a maximum period of 12 months. Data will only be kept beyond the emergency context in an anonymised form for statistical purposes.</p> <p>In case of an incident, event or enquiry by authorities, data subjects or other concerned individuals' personal data will be preserved as long as the legal claims arising from the investigations expire or any follow-up action is due. This includes pending cases, appeals and court judgments to allow for the exhaustion of all appeal and other channels of legal remedies. It may be necessary to keep data until all claims and any follow-up to them expire. The personal data shall, however, be kept not longer than 5 years after the judgment on the pending case is final.</p> <p>Data is intended to be kept in an anonymised form for statistical purposes, to the extent possible, taking into account secure technical measures.</p>
13	Data Storage	<p>Collected personal data are stored on servers that abide by pertinent security rules.</p> <p>Physical copies of personal data, if created, are stored in a properly secured manner.</p>
14	General description of security measures	<p>Appropriate organisational and technical measures are implemented according to Article 33 of Reg. (EU) 2018/1725. Collected personal data are stored on servers that abide by pertinent security rules.</p> <p>Measures are provided to prevent unauthorised entities from access, alteration, deletion, disclosure of data.</p> <p>Access to EEAS servers and equipment is password-protected with appropriate authentication policy.</p> <p>General access to personal data is only possible to recipients with a UserID/Password. Physical copies of personal data, if created, are stored in a properly secured manner.</p>
15	Rights of individuals	<p>Data subjects have the right of access to their personal data and the right to correct inaccurate, or incomplete personal data taking into account the purpose of the processing. The right of rectification can only apply to factual data processed. Under certain conditions, data subjects have the right to ask the deletion of your personal data or restrict their use as well as to object at any time to the processing of their personal data on grounds relating to their particular situation. The EEAS will consider their request, take a decision and communicate it to the data subject without undue delay and in any event within one month of receipt of the request. That period may be extended by two further months where necessary. For more detailed legal references, data subjects can find information in Articles 14 to 21, 23 and 24 of Regulation (EU) 2018/1725. In specific cases, restrictions under Article 25 of the Regulation may apply. If data subjects wish to exercise their rights or have questions concerning the processing of their personal data, they may address them to the Data Controller via the functional mailbox: CPCC-MEDICAL@eeas.europa.eu</p>
16	Information to data subjects	<p>Information is provided and the rights of data subjects are described in the Privacy Statement.</p>

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