

# EEAS PRIVACY STATEMENT - DATA PROTECTION NOTICE

## FOR THE PURPOSE OF PROCESSING PERSONAL DATA RELATED TO REAL ESTATE MANAGEMENT BY THE EEAS/EU DELEGATIONS VIA 'IMMOGEST' APPLICATION

### 1. INTRODUCTION

The protection of your personal data and privacy is of great importance to the European External Action Service (EEAS), including the Delegations of the European Union. You have the right under EU law to be informed when your personal data is processed [e.g. collected, used, stored] as well as about the purpose and details of that processing.

When handling personal data, we respect the principles of the Charter of Fundamental Rights of the European Union, and in particular Article 8 on data protection. Your personal data are processed in accordance with Regulation (EU) 2018/1725 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, aligned with Regulation (EU) 2016/679, the General Data Protection Regulation. In this privacy statement you find information about how the EEAS and EU Delegations process your personal data and what rights you have as a data subject.

### 2. PURPOSE OF DATA PROCESSING: Why do we process your data?

The purpose of the present processing activity is to manage EEAS owned or rented buildings in EU Delegations. Immocest may contain personal data related to the occupancy of an accommodation. Personal data related to EEAS or Commission staff (as tenants) and to property-owners of the rented property (as lessors) may be stored in the system. With regard to the 'property owner' category – data are contained in the copy of the contract that is uploaded in the system.

### 3. DATA PROCESSED: What data do we process?

The data, including personal data, which may be processed for that purpose are the following:

- I. EEAS or Commission Staff
  - Name, Surname
  - Family composition
  - Staff number
  - Address in Delegation
- II. Property-owners
  - Name, Surname
  - Complete address
  - Bank account
  - Amount of the rent

### 4. DATA CONTROLLER: Who is entrusted with processing your data?

The data controller determining the purpose and the means of the processing activity is the European External Action Service (EEAS). The EEAS Division entrusted with managing the personal data processing under the supervision of the Head of Division is the following organisational entity:

#### **Division Real Estate in Delegations - RM.SECRE.4**

Each EU Delegation under the supervision of the Head of Delegation is responsible for the processing of personal data by IMMOGEST IT Application in EU Delegations

### 5. RECIPIENTS OF THE PERSONAL DATA: Who has access to your data?

The recipients of your data may be:

- Assigned staff of 'Real Estate in Delegations' (RM.SECRE.4)
- Assigned staff of "Support to Delegations" (RM.BS.4)
- Assigned staff of the relevant EU Delegation

Personal data is not intended to be transferred to a third country or an international organisation, except where necessary for providing access as described above. In case of international transfers appropriate safeguards are ensured in accordance with Chapter V of Regulation (EU) 2018/1725. The given information will not be communicated to third parties, except where necessary for the purposes outlined above.

### 6. ACCESS, RECTIFICATION AND ERASURE OF DATA: What rights do you have?

You have the right of access to your personal data and the right to correct your 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, you 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 your personal data on grounds relating to your particular situation. We will consider your request, take a decision and communicate it to you 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. It is to be noted that removal of personal data from the application would signify the seizure of all Immocest actions related to the concerned individual, including reimbursement and other financial

processing. For more detailed legal references, you 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 you wish to exercise your rights or have questions concerning the processing of your personal data, you may address them to the Data Controller via the functional mailbox:

[RM-SECRE-4@eeas.europa.eu](mailto:RM-SECRE-4@eeas.europa.eu)

## 7. LEGAL BASIS: On what grounds do we collect your data?

### Lawfulness

The processing of your personal data is necessary for the performance of a task carried out by the European External Action Service in the public interest, in particular for the management and functioning of the EEAS [Article 5(1)(a) of Regulation (EU) 2018/1725] as referred to in Recital 22 thereof.

### Legal reference

- Decision of the High Representative of the Union for Foreign Affairs and Security Policy of 17/12/2013 (HR DEC 2013 011) regarding the rules for the implementation of housing policy in EU Delegations [https://intranet.eeas.europa.eu/system/files/inline-files/HR\\_DEC%282013%29\\_011.pdf](https://intranet.eeas.europa.eu/system/files/inline-files/HR_DEC%282013%29_011.pdf)
- EEAS Building Policy – 27 September 2017 available on <https://intranet.eeas.europa.eu/page/administration/eeas-administrative-policies/buildings-policy>
- [Code of Good Administrative Behaviour](#) and [Council Decision of 26 July 2010 establishing the organisation and functioning of the EEAS \(2010/427/EU\)](#) – OJ L 201, 3/8/2010, p. 30

## 8. TIME LIMIT & DATA SECURITY: for what period and how securely do we process your data?

### Storage period

In accordance with Article 48 of the RAP (Rules of Application)\*\* your data will be retained for the duration of posting (up to 6 years for Contract Agents) or for operation (i.e. lease contracts) not closed will be kept until the end of the year following that in which the operations are closed. Where possible, personal data contained will be deleted when those data are not necessary for budgetary discharge, control and audit purposes.

*\*\* Article 45 of the RAP (Rules of Application)*

*on Keeping of supporting documents by authorising officers (Article 66(2) of the Financial Regulation)*

*Paper based or electronic systems shall keep original supporting documents relating to and subsequent to budget implementation and budget implementation measures.*

*(d) The systems shall provide for such documents to be kept for at least five years from the date*

*on which the European Parliament grants discharge for the budgetary year to which the documents relate.*

*Documents relating to operations not definitively closed shall be kept for longer than provided for in point (d) of the first paragraph,*

*that is to say, until the end of the year following that in which the operations are closed.*

*Personal data contained in supporting documents shall be deleted where possible when those data are not necessary for budgetary discharge, control and audit purposes.*

*Article 37(2) of Regulation (EC) No 45/2001 shall apply to the conservation of traffic data.*

Personal data may be kept for information and historical, statistical or scientific purposes for a longer period of time including the publication on the EEAS/EU Delegation website and on the EEAS Intranet with appropriate safeguards in place. Archiving shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of individuals. Reports and other material containing personal data are archived according to e-Domec policy.

- 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. In any case, personal data will not be kept longer than 5 years after the judgment on the pending case is final.
- When appropriate, personal data contained in supporting documents should be deleted where possible, if that data is not necessary for audit, inspection or other control purposes.

### Security of data

Appropriate organisational and technical measures are ensured according to Article 33 of Reg. (EU) 2018/1725. The collected personal data are stored on servers that abide by pertinent security rules. Data is processed by assigned staff members. Access to specific files requires authorisation. Measures are provided to prevent unauthorised entities from access, alteration, deletion, disclosure of data. General access to personal data is only possible to recipients with a UserID/Password. Physical copies of personal data are stored in a properly secured manner.

Specific security measures : Various profiles exist, limiting the access to data to what is strictly necessary.

## 9. EEAS DATA PROTECTION OFFICER: Any questions to the DPO?

If you have enquiries you can also contact the EEAS Data Protection Officer at [data-protection@eeas.europa.eu](mailto:data-protection@eeas.europa.eu).

## 10. RECOURSE

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