

EEAS PRIVACY STATEMENT - DATA PROTECTION NOTICE

FOR THE PURPOSE OF PROCESSING PERSONAL DATA RELATED TO THE COARM ONLINE SYSTEM AND EMBEDDED LICENCING OFFICERS DATABASE BY THE EEAS

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 exchange information on numbers and values of export licences and arms exports, narrative lines of reasons for denials and suspensions, consultations on export control decisions; i.e. information that pertains to non-personal data. Data is submitted by the EU Member States and Norway; the EEAS offers the platform to exchange this information.

An online database for arms export licensing officers is embedded in the COARM Online System.

3. DATA PROCESSED: What data do we process?

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

Personal data of the users:

- Country
- Last Name
- First Name
- Email address
- Institution/Ministry/Agency/Organisation
- Country entity / region (if applicable)
- EU Login username

Personal data of arms exporters and importers if they are natural persons, if the name of a company is the name of an individual or when contact persons are given and persons participating in the export authorisation process:

- Name
- Organisation
- Contact data including country and/or nationality

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

National authorities are responsible for providing access to their users and to define their roles and are thus joint controllers with the EEAS in this respect.

The data controller determining the purpose and the means of the processing activity in respect of providing access and defining the roles of EEAS staff and for providing access to the National Administrators as well as for processing the data of persons and companies exporting and importing arms in the COARM system 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:

Disarmament, Non-Proliferation and Arms Export Control Division - EEAS.SECDEFPOL.4

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

The recipients of your data may be

- EEAS assigned staff supporting the COARM Working Group and its Chair and Alternate Chair
- EEAS assigned staff of the geographical divisions (for the embedded licensing officers database)
- Assigned users from the national arms export control authorities of EU Member States and Norway

Personal data is not intended to be transferred to a third country (outside the EEA) or an international organisation, except where necessary for providing access to recipients 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. 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:

COARM-DB@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 references:

- Council Common Position 2008/944/CFSP of 8 December 2009 defining common rules governing control of exports of military technology and equipment
- Council Decision (CFSP) 2019/1560 of 16 September 2019 amending Common Position 2008/944/CFSP defining common rules governing control of exports of military technology and equipment

Further legal reference:

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

User accounts can be de-activated by the persons who created them (see point 4); they are deactivated when a user leaves the organisation or changes functions so that is no longer entitled to capture data in the COARM system.

Entries will be anonymous after the user who inserted them ceases to be a user.

- For archiving, information and historical, statistical or scientific purposes, data of users is kept in a separate database (to keep a record of who was responsible for which country/domain) for a longer period of time 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. The application has logging procedures implemented, allowing the tracking of user actions.

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.

10. RECOURSE

You have, at any time, the right to have recourse to the European Data Protection Supervisor at edps@edps.europa.eu.

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