



EUROPEAN COMMISSION

## **PROTECTION OF YOUR PERSONAL DATA**

**This privacy statement provides information about the processing and the protection of your personal data.**

**Processing operation: Dealing with enquiries and correspondence from citizens based on Chapter IV of the Code of Good Administrative Behaviour**

**Data Controller:** European Commission, *Service for Foreign Policy Instruments, FPI.1 – Global and Transregional Threats and Challenges*

**Record reference:** DPR-EC-01386

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## **1. Introduction**

The European Commission (hereafter ‘the Commission’) is committed to protect your personal data and to respect your privacy. The Commission collects and further processes personal data pursuant to [Regulation \(EU\) 2018/1725](#) of the European Parliament and of the Council of 23 October 2018 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 (repealing Regulation (EC) No 45/2001).

This privacy statement explains the reason for the processing of your personal data, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

The information in relation to processing operation “Dealing with enquiries and correspondence from citizens based on Chapter 4 of the Code of Good Administrative Behaviour” undertaken by the Service for Foreign Policy Instruments, FPI.1 – Global and Transregional Threats and Challenges of the European Commission is presented below.

## **2. Why and how do we process your personal data?**

Purpose of the processing operation: the Commission service responsible for dealing with your query collects and uses your personal information to enable the Commission to meet its obligations of good administrative behaviour. In particular, in the dealings that the Commission has with the public, the Commission undertakes to observe the standards of good administrative behaviour set out in the Code of Good Administrative Behaviour and to be guided by these in its daily work. Furthermore, Article 24 TFEU requires the Commission to answer to correspondence from EU citizens. The Commission is committed to answer the enquiries sent by members of the public in the most appropriate way and as quickly as possible. The Commission and its staff shall respect, in particular, the rules on the protection of personal private and personal data.

Correspondence which does not require a formal reply within the meaning of Chapter IV of the Code of Good Administrative Behaviour and Article 24 TFEU, may nevertheless be stored in a document management system of the Commission (for further information, please refer to record of processing ‘DPR-EC-00536.1 Management and - short- and medium-term - preservation of Commission documents’).

The personal data processed may be reused for the purpose of procedures before the EU Courts, national courts, the European Ombudsman or the European Court of Auditor.

Your personal data will *not* be used for an automated decision-making including profiling.

## **3. On what legal ground(s) do we process your personal data**

We process your personal data, because pursuant to Article 5(1)(a) of Regulation (EU) 2018/1725, processing is necessary for the performance of a task carried out in the public interest. Furthermore, processing is necessary for compliance with a legal obligation to which the Commission is subject, in accordance with Article 5(1)(b) of Regulation (EU) 2018/1725.

Legal basis:

- Article 24 of the Treaty on the functioning of the European Union;

- Article 41 of the Charter of the Fundamental Rights;

- Commission Decision 2000/633/EC, ESCS, Euratom of 17 October 2000 amending its Rules of Procedure.

Should you, in your enquiry addressed to the Commission, provide data falling under the special categories of personal data, Article 10 of Regulation (EU) 2018/1725 applies.

Special categories of data which may be processed: personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

To the extent that a member of the public provides in his/her query special categories of personal data, we process any special categories of personal data based on the explicit consent of the member of the public in accordance with Article 10(2)(a) of Regulation (EU) 2018/1725. Should the processing of such special categories of personal data be further necessary to be able to reply to the query of the member of the public, such processing is covered by the exception of Article 10(2)(g) of Regulation 2018/1725 ('processing is necessary for reasons of substantial public interest').

Should you, in your enquiry addressed to the Commission, provide data relating to criminal convictions and offences, Article 11 of Regulation (EU) 2018/1725 applies.

#### **4. Which personal data do we collect and further process?**

In order to carry out this processing operation, the Commission service responsible for dealing with your query collects all data provided by in the enquiry, e.g. following categories of personal data: first name, surname, gender, nationality, e-mail address, address, telephone number, job title, office address, office telephone and any other personal data included in your enquiry itself.

The provision of personal data is not mandatory, unless you wish to receive a reply, in which case you are asked to provide an (e-mail) address at which you would like to receive the reply.

Please be aware that data that you provided in your enquiry could possibly be special categories of data subject to specific rules (see Articles 10 and 11 of Regulation (EU) 2018/1725).

#### **5. How long do we keep your personal data?**

Your personal data are kept for the time necessary to fulfil the purpose of collection or further processing. Depending on the type of query and the file concerned by the query, different retention periods may apply, in accordance with the Common Commission-Level Retention List for European Commission Files (SEC (2019)900). Possible sections of the Common Commission-Level Retention List that may apply are sections '2.2 Cabinet activities' and '9.6 Relations with citizens'. The maximum retention period is of 5 years from the closure of the file to which the specific query belongs.

#### **6. How do we protect and safeguard your personal data?**

All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored either on the servers of the European Commission. All processing operations are carried out pursuant to the [Commission Decision \(EU, Euratom\) 2017/46](#) of 10 January 2017 on the security of communication and information systems in the European Commission.

In order to protect your personal data, the Commission has put in place a number of technical and organisational measures. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

#### **7. Who has access to your personal data and to whom is it disclosed?**

Access to your personal data is provided to the Commission staff responsible for carrying out this processing operation and to authorised staff according to the strictly applied 'need to know' principle. Such staff abide by statutory, and when required, additional confidentiality agreements.

Designated staff responsible for receiving citizens' enquiries. Staff involved in interdepartmental consultation and charged with drafting a reply to the enquiry. The Commission staff concerned have access to all data relevant for the purposes of receiving and replying to the enquiry addressed to the Commission by the member of the public.

The personal data processed may be reused for the purpose of procedures before the EU Courts, national courts, the European Ombudsman or the European Court of Auditor.

The scope of application of the Code of Good Administrative Behaviour is not confined to queries from EU citizens residing in the EU but extends to enquiries received from 'members of the public', regardless of their place of residence. It could occur that the Commission service responsible for dealing with a query sends non-sensitive data outside of the EU or EEA for the purposes of replying to the member of the public. In case of such transfer to a third country, the controller will transfer personal data included in the Commission's reply based on:

- an adequacy decision of the Commission when the Commission has adopted a specific adequacy decision as regard the third country in question (Article 47 of Regulation (EU) 2018/1725);
- or in the absence of adequacy decision, on derogations for specific situations (Article 50 of Regulation (EU) 2018/1725). Such transfers of personal data may be necessary for important reasons of public interests.

The information we collect will not be given to any third party, except to the extent and for the purpose that may be required by law.

#### **8. What are your rights and how can you exercise them?**

You have specific rights as a 'data subject' under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, in particular the right to access, rectify or erase your personal data and the right to restrict the processing of your personal data. Where applicable, you also have the right to object to the processing or the right to data portability.

You have the right to object to the processing of your personal data which is lawfully carried out pursuant to Article 5(1)(a).

You can exercise your rights by contacting the Data Controller, or in case of conflict the Data Protection Officer. If necessary, you can also address yourself to the European Data Protection Supervisor. Their contact information is given under Heading 9 below.

Where you wish to exercise your rights in the context of one or several specific processing operations, please provide their description (i.e. their Record reference(s) as specified under Heading 10 below) in your request.

## **9. Contact information**

### **- The Data Controller**

If you would like to exercise your rights under Regulation (EU) 2018/1725, if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, please feel free to contact the Data Controller, Service for Foreign Policy Instruments, FPI.1 – Global and Transregional Threats and Challenges ([FPI-1@ec.europa.eu](mailto:FPI-1@ec.europa.eu)).

### **- The Data Protection Officer (DPO) of the Commission**

You may contact the Data Protection Officer ([DATA-PROTECTION-OFFICER@ec.europa.eu](mailto:DATA-PROTECTION-OFFICER@ec.europa.eu)) with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

### **- The European Data Protection Supervisor (EDPS)**

You have the right to have recourse (i.e. you can lodge a complaint) to the European Data Protection Supervisor ([edps@edps.europa.eu](mailto:edps@edps.europa.eu)) if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller.

## **10. Where to find more detailed information?**

The Commission Data Protection Officer (DPO) publishes the register of all processing operations on personal data by the Commission, which have been documented and notified to him. You may access the register via the following link: <http://ec.europa.eu/dpo-register>.

This specific processing operation has been included in the DPO's public register with the following Record reference: **DPR-EC-01386**.