



## DATA PROTECTION NOTICE

### regarding the processing of personal data in the context of the identification and management of (potential) conflicts of interests as regards staff covered by the Staff Regulations and the CEOS and Seconded National Experts

#### 1. Context and Controller

As the Administrative Director collects and further processes personal data in the context of the identification and management of (potential) conflicts of interests as regards staff covered by the Staff Regulations of officials (hereinafter referred to as ‘the Staff Regulations’) and the Conditions of Employment of other Servants (hereinafter referred to as ‘the CEOS’)<sup>1</sup>, the processing of personal data in this context is subject to Regulation (EU) 2018/1725 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

Collection and processing of personal data in this context is under the responsibility of the Controller, who is the Administrative Director and can be contacted at [adconfidential@eurojust.europa.eu](mailto:adconfidential@eurojust.europa.eu).

#### 2. What personal information do we collect, for what purpose, under which legal bases and through which technical means?

##### *Legal basis of the processing*

Article 5(1)(b) of Regulation EU 2018/1725: processing is necessary for the compliance with a legal obligation to which the controller is subject, more specifically

- The Staff Regulations in particular, Articles 11, 11a, 12, 12b, 13, 15, 16 thereof and the CEOS, in particular, Articles 11, 54, 81, 87(3) and 124 thereof;
- Commission Decision C(2013) 9051 of 16 December 2013 on leave, as amended by Commission Decision (2020)1559 of 16 March 2020.
- Commission Decision C(2018) 4048 of 29 June 2018 on outside activities and assignments and on occupational activities after leaving the service;
- Financial Regulation applicable to the General Budget of the European Communities (Regulation (EU, Euratom) 2018/1046) as implemented by College Decision 2019-09 of 17 September 2019 on the Financial Regulation applicable to Eurojust.
- Administrative Director Decision 2020-44 adopting Eurojust’s updated Standard Operating Procedure on the management of conflicts of interests.
- College Decision 2013-06 on implementing arrangements for the secondment to Eurojust of national experts.

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<sup>1</sup> Staff Regulations of Officials and Conditions of Employment of Other Servants of the European Union laid down in Council Regulation (EEC, Euratom, ECSC) No 259/68, OJ L 56, 4.3.1968, p. 1., as amended by Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013 (OJ L 287, 29.10.2013, p. 15).



### ***Purpose of the processing***

The purpose of the data processing is to identify and manage conflicts of interests in order to ensure that Eurojust's decision-making is independent and impartial. This includes the identification and management of the appearance of a conflict of interest, since this can constitute a reputational risk to Eurojust, even if it turns out to be unsubstantiated.

### ***Technical means***

Limited amount of staff are involved on a need-to-know basis when handling your file.

Organisational measures include restricting access to the personal data solely to authorized persons of the relevant Department/Unit with a legitimate need to know in relation with the identification and management of the (potential) conflict of interest.

The staff dealing with your file applies strict measures to ensure that your personal data is not accessed by anybody else. This includes the use of confidential settings in the emails and printing with badging.

The final decision of the Administrative Director is stored in the personal file. This paper file is stored in a cupboard in a locked office to which only a restricted number of staff from the Human Resources Unit have access on a need-to-know basis. The staff members in charge of assisting the Administrative Director in the management of the conflict of interest shall deliver all documents of the personal file, if applicable, back to the Human Resources Unit and shall delete any electronic files which may have been produced during the examination of the case.

### ***Types of personal data***

Eurojust may process your name, your job title, contact details such as your office email and telephone number, private address and email, signature and description of the interests that could actually or potentially impair your independence.

### **3. To whom is your personal data disclosed?**

Only authorised Eurojust staff members dealing with the (potential) conflict of interest will have access to the file containing your personal data on a need-to-know basis, mainly from the Legal Affairs Unit and the Human Resources Unit. In order to manage the (potential) conflict of interest, and depending on the type of interest disclosed or identified, your personal data may be shared with your hierarchical superior, supervisor or the Authorising Officer by delegation.

Where necessary, declarations of conflict of interests may be transferred to bodies in charge of a monitoring or inspection task in conformity with Union Law, including the European Court of Auditors, the Internal Audit Service, OLAF, the European Ombudsman and the European Data Protection Supervisor.

### **4. How can you verify, modify or delete your information?**

You have the right to access, rectify or erase or restrict the processing of your personal data or, where applicable, the right to object to processing or the right to data portability in line with Regulation (EU) 2018/1725.

We will consider your request, take a decision and communicate it to you. For more information, please see Articles 14 to 21, 23 and 24 of Regulation (EU) 2018/1725.



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

Data relating to the identification and management of (potential) CoI are to be retained by Eurojust for as long as necessary subject to a maximum period of 3 years after the receipt of the data. All declaration of interests' forms via which data was collected and any other related correspondence will be destroyed/deleted after 3 years.

## 6. Contact information

Any request should be directed to the Controller, by using the following email address:

[adconfidential@eurojust.europa.eu](mailto:adconfidential@eurojust.europa.eu) and by explicitly specifying your request.

You may also contact the Data Protection Office of the Eurojust ([dpo@eurojust.europa.eu](mailto:dpo@eurojust.europa.eu)).

## 7. Recourse

You have the right to lodge a complaint to the European Data Protection Supervisor via email: [edps@edps.europa.eu](mailto:edps@edps.europa.eu) or following the link: [https://edps.europa.eu/data-protection/our-role-supervisor/complaints\\_en](https://edps.europa.eu/data-protection/our-role-supervisor/complaints_en) if you consider that your rights under the Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data.