EUROPEAN COMMISSION

PROTECTION OF YOUR PERSONAL DATA

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

Processing operation: Online briefings to expert evaluators (later referred to as "Evaluators briefings")

Joint-Controllers ([1]):

- European Commission, Directorate General for Communications Networks, Content and Technology, R.5 (later referred to as "CNECT R.5");
- Health and Digital Executive Agency (HaDEA) – Head of unit B2

Record reference: DPR-EC-00915 and DPR-EC-01024

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([1]) The Joint-Controllership Arrangement is saved under Ares(2023)7004035.

1. Introduction

The Joint-Controllers are committed to protecting your personal data and to respecting your privacy. They collect and further process personal data pursuant to Regulation (EU) 2018/1725 of the European Parliament and of the Council 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.

This privacy statement explains the reason for the processing of your personal data in the context of **Evaluators briefings**. It explains 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 Joint-Controllers with whom you may exercise your rights, the Data Protection Officers and the European Data Protection Supervisor.

The information in relation to processing operation carried out by the Joint-Controllers is presented below.

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

The Joint-Controllers collect and further process your personal data to provide you with information about the Evaluators briefing (before, during and after) and to process your application for participation in that Evaluators briefing. Follow-up processing (such as the reimbursement of the fees) are described in the privacy statements available on the Funding and Tenders' Portal (EU Funding & Tenders Portal).

The Evaluators' briefing is organised online, through Webex.

During the Evaluators' briefing, the organiser will be recording the speakers, including any question and answer sessions or panel discussions. You will be informed by an alert on your screen when the recording is taking place. Participants that do not wish to be part of the recording have the possibility to object to processing by sending an email to the organisers prior to the briefing (at CNECT-R5@ec.europa.eu and HADEA-B2.2-EVALUATIONS@ec.europa.eu). On the day of the briefing, participants that do not wish to be part of the recording will have to switch their camera off and send their questions via email.

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

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

The processing operations on personal data, linked to the organisation, management, follow-up and promotion of the Evaluators' briefing (including audio-visual recording, the use of video conferencing services – only for the speakers as other participants will be invited to keep their camera off) are necessary for the management and functioning of the Commission, as mandated by the Treaties. Those provisions are:

- the Financial Regulation (in particular Art 146-149, 168, and 237);

- Recital 86; Art 19(3) and (5); Art 29(1); Art 48(4), (8), and (12); Art 49; and Art 52(2) of Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation and laying down its rules for participation and dissemination (OJ L 170 of 12.5.2021, p. 1);
- Council Regulation (Euratom) No 1074/1999 (OJ L 248, 18.9.2013, p. 1);
- Council Regulation (EC, Euratom) No 2988/95, of 18 December 1995, on the protection of the European Communities financial interests (OJ L 312, 23.12.1995, p. 1);
- Council Regulation (Euratom, EC) No 2185/96, of 11 November 1996, concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2);
- Regulation (EU, Euratom) 2018/1046 (OJ L 193 of 30.7.2018, p.1) of the European Parliament and of the Council, of 18 July 2018, on the financial rules applicable to the general budget of the Union (the Financial Regulation), in particular Titles V (Common Rules); VIII (Grants); and IX (Prizes).

Consequently, those processing operations are lawful under Article 5(1)(a) of Regulation (EU) 2018/1725 (processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body).

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

The following personal data will be processed:

- contact details (function/title, first name, last name, name of organisation, city, country, e-mail address, telephone number);
- through the use of web conferencing services: the following categories of personal data of the participants may be collected: Participant identifiers; Conference Content (available to participants only at Conference duration); Participants' names list (available to participants only at Conference duration); Session identifier (determined by the system, only on anonymised reports); Date of session (determined by user decision, only on anonymised reports).

5. How long do we keep your personal data?

The Joint-Controllers only keep your personal data for the time necessary to fulfil the purpose of collection or further processing.

For each of the categories of personal data that is processed, please find below the retention details and the reference to the relevant record of processing:

- All personal data related to the organisation and management of the Evaluators' briefing (this includes the information given during the registration, before, during or after the event) will be deleted **one year** after the last action in relation to the Evaluators' briefing.

- The recording will be kept for **30 days** after the end of the evaluation before being deleted.
- When using third party IT services during a virtual conference or event, the Joint-Controllers keep your personal data for the time necessary to fulfil the purpose of collection or further processing, namely for the duration of the conference and for an additional period of up to 5 years in an anonymised format (Conference identifier, start time and duration) on the following record: DPR-EC-05006. The content of the video/audio conference (documents, links, files etc) will be deleted after the termination of the session.

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 on the servers of the Joint-Controllers and WebEX. All processing operations are carried out pursuant to 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 Joint-Controllers have 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 Joint-Controllers staff responsible for carrying out this processing operation and to other authorised staff according to the "need to know" principle. Such staff abide by statutory, and when required, additional confidentiality agreements. Participants/experts having a contract for the evaluations will be the only recipients of the recording.

Please note that pursuant to Article 3(13) of Regulation (EU) 2018/1725 public authorities (e.g. Court of Auditors, EU Court of Justice) which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients. The further processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

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

Third Party IT Tools during Video Conferencing

Please note that this as this is a virtual meeting, a third-party IT service will used to run the meeting.

When using third party IT services during a virtual conference or event, the Joint-Controllers keep your personal data for the time necessary to fulfil the purpose of collection or further processing, namely for the duration of the conference and for an additional period of up to 5 years in an anonymised format (Conference identifier, start time and duration).

The content of the video/audio conference (documents, links, files etc.) will be deleted after the termination of the session.

The following categories of personal data of the participants are collected:

- Participant identifier (mainly email address, but potentially some other parameters)
- Conference Content (available to participants only at Conference duration)
- Participants' names list (available to participants only at Conference duration)
- Session identifier (determined by the system, only on anonymised reports)
- Date of session (determined by user decision, only on anonymised reports)
- Duration of the session (determined by user decision, only on anonymised reports)

The main recipient of the personal data is the conference's organiser who should identify the external participants. Participants are recipients as well of the contents during the duration of the session. The main organiser can take the decision of a local meeting recording, in such scenario a recording alert is shown to all participants.

International transfers

Your personal data might be transferred in third countries due to the use of WebEX:

- Potential transfers to the United Kingdom are based on an adequacy decision (Article 47 of Regulation (EU) 2018/1725): Commission Implementing Decision, of 28.6.2021, pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council on the adequate protection of personal data by the United Kingdom;
- Potential transfers to the United States are based on an adequacy decision (Article 47 of Regulation (EU) 2018/1725): Commission Implementing Decision of 10.7.2023 pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council on the adequate level of protection of personal data under the EU-US Data Privacy Framework.

For more information, please see Commission Data Protection Record DPR-EC-05006 (Service de Web Conference (Webex).

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, your personal data and to rectify them in case your personal data are inaccurate or incomplete. Where applicable, you have the right to erase your personal data, to restrict the processing of your personal data, to object to the processing, and 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) of Regulation (EU) 2018/1725 on grounds relating to your

particular situation. Participants that do not wish to be part of the recording have the possibility to object to processing by switching their camera off and asking their questions directly via email.

You can exercise your rights by contacting the data controller, or in case of conflict the Data Protection Officers. If necessary, you can also address 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 Joint Controllers

If you would like to exercise your rights under Regulation (EU) 2018/1725, or 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 Joint-Controllers, CNECT R.5 at CNECT-R5@ec.europa.eu, and HaDEA at HADEA-B2.2-EVALUATIONS@ec.europa.eu]

- **The Data Protection Officers (DPOs)**

You may contact the Data Protection Officers with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725:

- European Commission: DATA-PROTECTION-OFFICER@ec.europa.eu;
- HaDEA: hadea-dpo@ec.europa.eu.

- **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) 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 Joint Controllers.

10. Where to find more detailed information?

The data protection records are available here:

- http://ec.europa.eu/dpo-register for the Commission;
- https://hadea.ec.europa.eu/hadea-data-protection_en for HaDEA.

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