

PROTECTION OF YOUR PERSONAL DATA

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

Processing operation: *DG MARE EU Fleet Register*

Data Controller: *DG MARE/C4 - Data Management Unit*

Record reference: *DPR-EC-02746.1*

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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 the processing operation of the "DG MARE EU Fleet Register" undertaken by DG MARE/C4 - Data Management Unit is presented below. The goal of the processing aims at creating and maintaining the Union fishing fleet register which is a necessary tool for implementing the rules of the Common Fisheries Policy. That register should contain all Union fishing vessels.

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

Purpose of the processing operation: The data controller stores and uses your personal information to allow the different administrations (Commission and Member States authorities) to contact the concerned owners or operators of fishing vessels for control purposes.

Your personal data is communicated electronically to the Commission by the Member States authorities.

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:

(a) 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;

(b) processing is necessary for compliance with a legal obligation to which the controller is subject.

The basis for the processing referred to in points (a) and (b) has been laid down in Article 24(3) of Regulation (EU) No 1380/2013 on the Common Fisheries Policy and Commission Implementing Regulation (EU) 2017/218 of 6 February 2017 on the Union fishing fleet register.

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

In order to carry out this processing operation the Data Controller, i.e. DG MARE/C4 collects the following categories of personal data:

- *Name and surname;*
- *Contact details (e-mail address, telephone number, fax number, postal address).*

We have obtained your personal data from the Member State administrations.

5. How long do we keep your personal data?

The Data Controller, i.e. DG MARE/C4, only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing. Namely, personal data is kept as long as the fishing vessel is active but limited to 30 years if personal data is linked to vessels not anymore in the EU fleet (even destroyed).

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.) is stored 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 in place. 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 of the Commission and Member States administrations according to the “need to know” principle. Such staff abide by statutory, and when required, additional confidentiality agreements.

The controller will transfer your personal data to the following recipients in third countries with which the Union has concluded sustainable fisheries partnership agreements (SFPAs which are available under https://ec.europa.eu/fisheries/cfp/international/agreements_en) or to an international organisation (FAO) in accordance with Regulation (EU) 2018/1725. The controller will transfer your personal data based on Article 48(2)(a) and Article 50(1)(d) and (g) of Regulation (EU) 2018/1725.

Some of sustainable fisheries partnership agreements already include clauses on the protection of personal data, which provide for appropriate safeguards and complementing data subject rights and legal remedies, so transfer of data can take place in line with Article 48(2)(a) of Regulation 2018/1725. For the existing SFPAs without such clauses, the intention is to modify accordingly these agreements in the course of future negotiations. If there are no binding and enforceable instruments in place yet, transfers of personal data to these third countries take place on the basis of derogations set out in Article 50(1)(d) of Regulation 2018/1725.

With FAO, under Council Decision 96/428/EC of 25 June 1996, on acceptance by the Community of the Agreement to promote compliance with international conservation and management measures by fishing vessels on the high seas, the transfer is made from a register, which according to Union law, is intended to provide information to the public and which is open to consultation by the public in general (for the public part of the fleet register) in line with Article 50(1)(g) of Regulation 2018/1725.

At the level of agreements, the Commission does not make available personal data other than:

- *name and surname, postal address, phone number, fax number, e-mail address of owners and operators of the concerned fishing vessels;*
- *the vessel identifiers which under certain circumstances can be considered personal data.*

Please note that pursuant to Article 3(13) of the Regulation, 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 other third party, except to the extent and for the purpose we may be required to do so 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, 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) and (b) on grounds relating to your particular situation.

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 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, 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 Data Controller, MARE/C4 at MARE-DATA-MANAGEMENT@ec.europa.eu.

- The Data Protection Officer (DPO) of the Commission

You may contact the Data Protection Officer (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) 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-02746.1.