



**PROCESSING OF PERSONAL DATA IN THE CONTEXT OF THE
EFCA JDPS IN INTERNATIONAL WATERS - PRIVACY STATEMENT**

<p align="center">WHY AND HOW DO WE PROCESS YOUR DATA?</p>	<p>The European Fisheries Control Agency is committed to respect the right to data protection being subject to Regulation (EU) 2018/1725 ¹. To properly carry out the task of providing assistance to Member States, the Commission and upon request to third countries – here in form of technical expertise, capacity building and training material, we collect and further process information and data received from the Commission (DG Mare) for the cooperation in the preparation and conduct of on-the-spot evaluation missions in third countries.</p>
<p align="center">DATA CONTROLLER</p>	<p align="center">Your personal data will be under the responsibility of: HEAD OF UNIT 3 EUROPEAN AGENCY FOR FISHERIES CONTROL (EFCA) AVDA. GARCÍA BARBÓN, 4, E-36201 VIGO</p>
<p align="center">LEGAL GROUND/S</p>	<p>This activity is carried out by the Agency based on public interest under:</p> <ul style="list-style-type: none"> • article 20(4)(c) of the IUU regulation (EC) no 1005/2008 • article 1(b) of Commission Decision of 18 December 2009 for the cooperation in the preparation and conduct of on-the-spot evaluation missions in third countries • Article 3(h) of Regulation (EU) 2019/473 of the European Parliament and of the Council of 19 March 2019 on the European Fisheries Control Agency.
<p align="center">WHAT DATA WE COLLECT?</p>	<p>Name, address and, on a voluntary basis, signature of the data subjects in the inspection report: Vessel Master Vessel Crew member(s) Vessel Owner(s) Vessel Beneficial Owner(s) Vessel Owners Representative(s) Vessel Charterer(s) Vessel Agent(s) Observer(s) Transporter(s) Driver(s) Registered Buyer(s) Inspector in charge Inspector(s) other Reporting Official(s)</p>

¹ 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

<p>WHO HAS ACCESS TO YOUR DATA?</p>	<p>Members of the Steering Group and the Technical Joint Deployment Group of the JDP. MS National Experts in the Fisheries Monitoring Centres. The European Commission (DG MARE competent Unit for the area). Executive Secretary of GFCM Flag State authorities. Within EFCA, access to personal data is limited to EFCA Data Administrators (FIS information), Coordinators of Control Operations and Head of Sectors involved in the implementation of JDPs (FIS information and paper inspection reports).</p>
<p>HOW DO WE PROTECT YOUR PERSONAL INFORMATION?</p>	<p>A number of technical and organisational measures have been put in place by the Agency. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access according to the EFCA Information Security Policy. 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.</p>
<p>HOW LONG DO WE KEEP YOUR DATA?</p>	<p>3 years: Data from the inspection reports and VMS data. 2 years: Personal data related to ERS on the Member States request.</p>
<p>YOUR RIGHTS AS DATA SUBJECT</p>	<p>You have the right to access all your personal data, including the supporting documents, and may request them to be updated and rectified, blocked or erased.</p> <p>In relation to any requests, if the data subject requests the Controller orally, by email or by paper to exert his/her rights, the Controller will facilitate the applicant the exercise of the rights, subject to restrictions:</p> <p>EFCA has no influence on the content of the Vessel Monitoring System (VMS) data, or the content of the electronic logbook data (ERS) or the inspection reports which are compiled by the Member State and then provided to EFCA through the EFCA-FIS or on paper. EFCA merely provides the means to receive, process and provide shared access to and/or exchange the relevant data.</p> <p>EFCA does not have the competence for any follow up of alleged infringements made and laid down in an inspection report. This is the responsibility of Coastal Member States and Flag Member States (Title VII, Chapters III and IV of Council Regulation (EC) 1224/2009). The inspection report serves as evidence in court and can therefore not be modified (Articles 76 and 77 R. 1224/2009).</p> <p>Apart from that, EFCA does not “own” the inspection reports information, VMS and ERS data, which is third-party data (of the Member State), and therefore EFCA cannot give access to it without having consulted the third party and having received a positive answer in accordance with Art. 4(4) of Regulation (EC) 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents.</p> <p>EFCA will ensure that any restrictions to the right of access to the information contained in the inspection report information and VMS and ERS data on the basis of Art. 20(1)(a) and (e) do not exceed what is necessary to achieve the respective objective. In particular, for inspection report information, when consulting the Member State who carried out the inspection as regards access to the relevant inspection report, EFCA will stress the importance of respecting the right of access to personal data of the data subject concerned, to give full effect to Art. 17 of R. 2018/1725.</p> <p>As regards inspection reports, in all cases, the right of access is already granted by providing the master of the fishing vessel and other operators who sign the report with a copy of the inspection report. The report is also signed by the inspectors.</p> <p>Restrictions are regulated insofar on EFCA internal rules adopted from EFCA Administrative Board of 22 April 2020 and published the 3/08/2020 on the Official Journal of the European Union L 251/1.</p>

CONTACT
INFORMATION
AND RECOURSE

For any questions or concerns, if you would like to exercise your rights or submit a complaint, you may address the Data Controller orally, by email or by paper.

You may also contact the EFCA Data Protection Officer (DPO):
EFCA-DPO@efca.europa.eu

If you consider that your rights under Regulation 2018/1725 have been infringed as a result of the processing, you are entitled to have recourse at any time to the European Data Protection Supervisor (EDPS): EDPS@edps.europa.eu