



PRIVACY STATEMENT - DATA PROTECTION NOTICE

FOR THE PURPOSE OF
PROCESSING PERSONAL DATA
RELATED TO PROCUREMENT PROCEDURES
IN THE EUROPEAN UNION ADVISORY MISSION IN CENTRAL AFRICAN REPUBLIC
(EUAM CAR)

1. INTRODUCTION

The protection of your privacy including your personal data is of great importance to the European Union and to European Union Advisory Mission in RCA (EUAM RCA). Consequently, all personal data that can identify you either directly or indirectly will be handled legitimately and with the necessary care.

This 'Data Protection Notice and Privacy Statement' describes how EUAM RCA processes your personal data for the purpose for which it has been collected and what rights you have.

When processing personal data, EUAM RCA reflects the provisions of the Charter of Fundamental Rights of the European Union and in particular its Article 8 on the protection of personal data.

Your personal data is collected, processed, and stored by EUAM RCA in accordance with the principles and provisions laid down in the applicable legislation on data protection, including the 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; aligned with the provisions of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation)'; and in accordance with the Civilian Operations Commander's Instruction 12-2018 as well as with EUAM RCA's Standard Operating Procedures (SOP) on the protection of personal data.

2. PURPOSE OF THE PROCESSING: Why we process your data?

Upon reception of tenderer's expression of interest, tender or request to participate by EUAM RCA, personal data is collected and further processed for the purpose of the management and administration of the procurement procedures by EUAM RCA.

3. DATA PROCESSED: what data we process?

The data, including personal data, which may be processed for that purpose are the following:

- Name, age, gender, date of birth, nationality, civil status, education, passport number, ID number, country of residence, certificate of 'no criminal record';
- Professional function;
- Contact details (e-mail address, telephone number, fax number, address, company and department,; internet address);
- Certificates for social security contributions and taxes paid, certificates on absence of criminal records;
- Bank account reference (IBAN and BIC codes), VAT number;
- Information for the evaluation of selection criteria or eligibility criteria: expertise; technical skills and languages, educational background, professional experience; including details on current and past employments;
- Declaration on honour regarding not being in one of the exclusion situations referred to in article 136 of the Financial Regulation.

4. DATA CONTROLLER: Who is entrusted with processing your data?

The Controller determining the purpose and the means of the processing activity is the CSDP Mission EUAM RCA. The EUAM RCA section responsible for managing the personal data processing is PROCUREMENT UNIT under the supervision of the Head of Mission.

5. RECIPIENTS OF THE PERSONAL DATA: Who has access to your data?

The recipients of your data may be

- Mission staff of the Procurement Unit or directly involved in procurement procedure
- Mission ex-ante verification officers
- Mission ex-post financial controller
- Relevant Authorizing Officers of the Mission
- External auditors from various EU bodies (Internal Audit Service, European Court of Auditors) or as appointed by EU Commission

The given information will not be communicated to third parties, except where necessary for the purposes outlined above.

6. ACCESS, RECTIFICATION, ERASURE OF DATA: What rights do you have?

You have the right to access your personal data and the right to request for correction of any inaccurate or incomplete personal data, as well as to request the removal of your personal data, if collected unlawfully, which will be implemented within one month after the receipt of your request. If you have any queries concerning the processing of your personal data, you may address them to the functional mailbox: xxxxxxx@euam-rca.eu

7. LEGAL BASIS: On what grounds we collect your data?

- Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union
- Council Decision 2019/2110/CFSP, 09 December 2019 with its subsequent amendments and the OPLAN endorsed by Political and Security Committee (PSC).
- Agreement between the European Union and RCA on the status of the EUAM RCA (SOMA)
- Civilian Operations Commander Instruction 12/2018 on the SOP on Personal Data Protection
- EUAM RCA SOP on Data Protection
- European Commission Procurement Rules for Common Foreign and Security Policy (CFSP) Operations (v. 3.0) of 10 April 2019.

Personal data is processed for executing the Mission mandate.

8. TIME LIMIT - DATA STORING: For what period and how we process your data?

Retention of data

Personal data is kept for a period of **five years** from the end date of relevant Contribution Agreement between the EUAM RCA and European Commission.

In case of security incident/criminal investigation concerned data is under specific legislation (RCA or EU or EU Member State).

Security of data

Appropriate technical and organisational measures are ensured:

- *Electronic format:* the data will be stored on the servers that abide by the pertinent security rules. Personal data will be processed by assigned staff members. Files have authorised access. Measures are provided to prevent non-responsible entities from accessing data. General access to all collected personal data and all related information is only possible to the recipients with a User ID/Password.
- *Physical Files:* When not in use, physical copies of the collected personal data will be stored in a properly secured and locked storage container.
- to prevent any unauthorised person from gaining access to computer systems; any unauthorised reading, copying, alteration or removal of storage media; any unauthorised memory inputs; any unauthorised disclosure, alteration or erasure of stored personal data; unauthorised persons from using data-processing systems by means of data transmission facilities;
- to ensure that authorised users of a data-processing system can access no personal data other than those to which their access right refers; the possibility to check logs; and that personal data being processed on behalf of third parties can be processed only on instruction of the controller; furthermore that, during communication or transport of personal data, the data cannot be read, copied or erased without authorisation;
- to record which personal data have been communicated, at what times and to whom.

9. MISSION DATA PROTECTION ADVISOR: Any questions to the MDPA

In case you have questions or concerns related to the protection of your personal data, you can also contact the Mission Data Protection Advisor (Legal Adviser) at the functional mailbox of the Mission (data.protection@euam-rca.eu)

10. RECOURSE

You have at any time the right of recourse that you may send to the Head of the Mission of EUAM RCA, with the Mission Data Protection Advisor (Legal Adviser) in copy.