

NOTIFICATION TO THE DATA PROTECTION OFFICER (ARTICLE 31 REGULATION 2018/1725)

NAME OF PROCESSING ACTIVITY¹: **Provision of data to the secretariat and coordination of the CISE Stakeholders' Group during the CISE Transitional Phase.**

1) Controller(s) ² of data processing operation (Article 31.1(a))
<p>Controller: European Maritime Safety Agency (EMSA)</p> <p>Organisational unit responsible³ for the processing activity: 2.0</p> <p>Contact person: Leendert Bal – Head of Department 2: mss@emsa.europa.eu</p> <p>Data Protection Officer (DPO): Radostina Nedeva-Maegerlein: dpo@emsa.europa.eu</p>
2) Who is actually conducting the processing? (Article 31.1(a)) ⁴
<p>The data are processed by EMSA itself <input checked="" type="checkbox"/></p> <p>The organisational unit conducting the processing activity is: 2.0</p> <hr style="border: 0.5px solid black; margin: 10px 0;"/> <p>The data are processed by a third party (contractor) or the processing operation is conducted together with an external third party: <input checked="" type="checkbox"/> Microsoft for the use of Teams</p> <p>Contact point at external third party (e.g. Privacy/Data Protection Officer):</p> <p>Microsoft EU Data Protection Officer</p> <p>Dedicated pages to data subjects: https://www.microsoft.com/en-GB/concern/privacy , Microsoft Privacy Statement – Microsoft privacy</p> <p>Tel: +353 (0) 1 295-3826</p>

¹ **Personal** data is any information relating to an identified or identifiable natural person, i.e. someone who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity. This information may, for example, be the name, date of birth, a telephone number, biometric data, medical data, a picture, professional details, etc.

Processing means any operation or set of operations which is performed on personal data, whether or not by automatic means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

² In case of more than one controller (e.g. joint operations), all controllers need to be listed here.

³ This is the unit that decides that the processing takes place and why

⁴ Is EMSA itself conducting the processing? Or has a provider been contracted?

Attn: Data Protection

One Microsoft Place

Microsoft. South County Business Park, Leopardstown

Dublin 18, D18 P521, Ireland

3) Purpose of the processing (Article 31.1(b))

Why are the personal data being processed? Specify the rationale and underlying reason for the processing and describe the individual steps used for the processing.

As laid down in the Agency's founding regulation, EMSA shall support the Commission in the performance of any other task assigned to the Commission in legislative acts of the Union regarding the objectives of the Agency.

Two Grant Agreements were signed between EMSA and the European Commission's DG MARE on 16 April 2019 (Ref.SI2.801889) and 07 December 2021 (Ref. SI2.833747) respectively to entrust EMSA with the task to set up and coordinate the Transitional Phase of the Common Information Sharing Environment (CISE) until December 2023 in view of its operational implementation.

In this context of the Transitional Phase, EMSA was tasked to provide the secretariat with data and ensure coordination of the CISE Stakeholders Group (CSG) and its activities including providing technical and operational support as well as the organisation of working groups, workshops, training courses, webinars, and other CISE-related events. Such activities do not involve only the appointed **CSG members** but the **wider CISE-related community**. With the aim to exchange documents and information with such stakeholders, EMSA also set up a shared working space in Microsoft Teams.

Personal data of **all CISE stakeholders** is processed with the sole purpose to perform the activities of the Transitional Phase of CISE, including organisation of CSG meetings, working groups, workshops, training courses (online and presential), webinars and other CISE-related events, and to enable the stakeholders' access to the Microsoft Teams collaborative space. Personal data is collected both via the shared collaboration platform in Microsoft Teams and via e-mail.

In case of online meetings, the meeting organiser (EMSA staff) can record and consequently download the video and the attendees list from Teams. The host shall announce that no recordings of any kind shall be made by any other attendee and if participants do not wish their image/voice to be recorded, they shall turn-off their camera and mute their microphone. The only legitimate recording shall be made by the host for the purposes of recording the content of meetings/trainings/courses/workshops/webinars and other CISE-related events. Video recordings of speakers and attendees may be published on EMSA website/social media channels.

EMSA will not reuse the personal data for another purpose that is different to the one stated above.

The processing is not intended to be used for any automated decision making, including profiling.

4) Lawfulness of the processing (Article 5(a)–(d)): Processing necessary for:

Mention the legal basis which justifies the processing

- (a) a task carried out in the public interest or
in the exercise of official authority vested in EMSA

(including management and functioning of the institution)



The task attributed to EMSA is stated in Article 2(2)(d) of Regulation (EC) No 1406/2002 establishing a European Maritime Safety Agency, "The Agency shall support the Commission in the performance of any other task assigned to the Commission in legislative acts of the Union regarding the objectives of the Agency", further defined in the following documents:

- the Grant Agreement for "Setting up and enabling the transition phase to CISE Operations" (agreement number SI2.801889)
- the Grant Agreement for "Common Information Sharing Environment (CISE) transition" (agreement number SI2.833747)
- the "CISE Transitional Phase: Governance Structure" document agreed by The Member States Experts Sub-Group on the Integration of Maritime Security and Surveillance (MSeG)
- the "CISE Transitional Phase: Activities" document agreed by MSeG.

(b) compliance with a legal obligation to which EMSA is subject ☐

(c) necessary for the performance of a contract with the data subject or for the preparation of such a contract ☐

(d) Data subject has given consent (*ex ante*, explicit, informed) ☐

Describe how consent will be collected and where the relevant proof of consent will be stored

5) Description of the categories of data subjects (Article 31.1(c))

Whose personal data is being processed?

EMSA staff ☒

Designated staff involved in the CISE project

Non-EMSA staff ☐

Visitors to EMSA building ☐

Relatives of the data subject ☐

Other (please specify): CISE stakeholders and their contractors, European Commission, EEAS, EFCA, FRONTEX, SATCEN, EDA, MAOC-N.

6) Categories of personal data processed (Article 31.1(c))

Please tick all that apply and give details where appropriate

(a) **General personal data:**

The personal data contains:

Personal details ☒
name, surname, e-mail address, phone, country, address, postcode, town, photo

Education & Training details ☐

Employment details ☒
job title, organisation

Financial details ☐

Family, lifestyle and social circumstances ☐

Goods or services provided ☐

Other (please give details):

(b) **Sensitive personal data** (Article 10)

The personal data reveals:

Racial or ethnic origin ☐

Political opinions ☐

Religious or philosophical beliefs ☐

Trade union membership ☐

Genetic, biometric or data concerning health ☐

Information regarding an individual's sex life or sexual orientation	<input type="checkbox"/>
7) Recipient(s) of the data (Article 31.1 (d)) <i>Recipients are all parties who have access to the personal data</i>	
Data subjects themselves	<input checked="" type="checkbox"/>
Managers of data subjects	<input type="checkbox"/>
Designated EMSA staff members	<input checked="" type="checkbox"/>
EMSA staff involved in the CISE project, Heads of Department 2.0 and 3.0, Executive Director, Executive Office, Financial Officer(s) of the Unit 4.2 and the Accountant for processing the reimbursements of experts	
Designated Contractors' staff members	<input type="checkbox"/>
Other (please specify): Access will be given to EU staff with the statutory right to access the data required by their function, i.e. the European Ombudsman, the Civil Service Tribunal, the Internal Audit Service, the European Court of Auditors, OLAF and the European Data Protection Supervisor.	
8) Transfers to third countries or recipients outside the EEA (Article 31.1 (e)) <i>If the personal data are transferred outside the European Economic Area, this needs to be specifically mentioned, since it increases the risks of the processing operation.</i>	
Data are transferred to third country recipients:	
Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>
If yes, specify to which country: United States of America EMSA uses Microsoft Teams as communication platform with CISE Stakeholders. For further reference, consult: Update in the Notification to the Data Protection Officer of the Recording of Processing Activity for the usage of Microsoft Teams and Skype for Business (Article 31 Regulation (EU) 2018/1725) Ares(2020)4165662	

If yes, specify under which safeguards:

Adequacy Decision of the European Commission ☐

Standard Contractual Clauses ☒

Binding Corporate Rules ☐

Memorandum of Understanding between public authorities ☐

9) Technical and organisational security measures (Article 31.1(g))

Please specify where the data are stored during and after the processing

How is the data stored?

EMSA network shared drive ☒

Outlook Folder(s) ☒

Hardcopy file ☒

Cloud ☒

Microsoft Teams (Microsoft's cloud-based Office 365 platform)

Servers of external provider ☐

Other (please specify):

ARES

10) Retention time (Article 4(e))

How long will the data be retained and what is the justification for the retention period? Keep in mind that there are pre-determined retention periods for most types of files. Those are explained in the Records

Management Policy and Procedure of the Agency. You can check EMSA Records Management Policy and Procedure [here](#).

EMSA does not keep personal data longer than necessary for the purpose(s) for which that personal data is collected.

The data will be only retained for a maximum period of 5 years in accordance with EMSA Records Management Policy and Procedure.