

## **DATA PROTECTION NOTICE**

### **regarding the processing of personal data in the context of access to documents requests**

#### **1. Context and Controller**

As Eurojust collects and further processes personal data in the context of access to documents requests, it is subject to Regulation (EU) 2018/1725 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

Collection and processing of personal data in the context of requests for access to documents are under the responsibility of the Controller, who is the Head of the Legal Affairs Unit and can be contacted at [ls-admin-external@eurojust.europa.eu](mailto:ls-admin-external@eurojust.europa.eu).

#### **2. What personal information do we collect, for what purpose, under which legal bases and through which technical means?**

##### ***Legal basis of the processing***

The right of access to documents is laid down in Article 15(3) of the Treaty on the Functioning of the European Union, in Article 42 of the Charter of Fundamental Rights of the European Union and more in detail in Regulation (EC) No 1049/2001<sup>1</sup>.

Eurojust respects the provisions of Regulation (EC) No 1049/2001 in accordance Article 74(1) of the [Eurojust Regulation](#) which reads as follows: “Regulation (EC) No 1049/2001 of the European Parliament and the Council shall apply to documents held by Eurojust.”

##### ***Purpose of the processing***

The purpose of the processing is to ensure the appropriate handling of requests for access to documents in compliance with the principles, conditions and limits defined in Regulation (EC) No 1049/2001.

Such requests may be lodged by any citizen of the European Union and any natural or legal person residing or having its registered office in a Member State. For the purposes of the Regulation 1049/2001, Eurojust will send acknowledgement of receipts, analyse requests, assess possible disclosure of documents originating from Eurojust or third parties, inform the applicants of the decision to disclose or to refuse the disclosure of documents or information and handle possible confirmatory applications.

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<sup>1</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).



### ***Technical means***

Limited amount of staff are involved on a need-to-know basis when handling your request for access.

Technical measures include storing the files electronically in a restricted area of the Document Management System of the Legal Affairs Unit. All processing operations are carried out pursuant to existing policies describing access control to different Eurojust applications.

The staff of the Legal Affairs Unit dealing with your access to documents requests applies strict measures to ensure that your personal data is not accessed by anybody else. This includes the use of locked closets, confidential settings in the emails.

### ***Types of personal data***

Eurojust processes the name and the contact details of the person requesting the documents and any other personal data submitted by the applicant in the request. In addition, Eurojust processes any personal data that may appear in the requested documents.

### **3. To whom is your personal data disclosed?**

Eurojust staff members dealing with the request will have access to the file containing your personal data on a need-to-know basis. Your personal data are not disclosed outside Eurojust.

Personal data that appear on the requested document may be disclosed to the applicant with an *erga omnes* effect following an assessment under Article 9(1)(b) of Regulation (EC) No 1049/2001 provided that the data subjects have been informed about the processing and about their right to object (Articles 15-16 and 23 of Regulation (EU) 2018/1725).

### **4. How can you verify, modify or delete your information?**

You have the right of access to your personal data and to relevant information concerning how we use it. You have the right to rectify your personal data. Under certain conditions, you have the right to ask that we delete your personal data or restrict their use. You have the right to object to our processing of your personal data, on grounds relating to your particular situation, at any time. We will consider your request, take a decision and communicate it to you. For more information, please see Articles 14 to 21, 23 and 24 of Regulation (EU) 2018/1725. Please note that in some cases restrictions under Article 25 of Regulation (EU) 2018/1725 may apply.

If you wish to exercise your data subject rights, any such request should be directed to the Legal Affairs Unit of Eurojust at [ls-admin-external@eurojust.europa.eu](mailto:ls-admin-external@eurojust.europa.eu)

You may also contact the Data Protection Officer at Eurojust at [dpo@eurojust.europa.eu](mailto:dpo@eurojust.europa.eu)

### **5. How long do we keep your personal data?**

The file will be stored by Eurojust for only as long as necessary and for a maximum of ten years after the closure of the case, or as long as Eurojust is under a legal obligation to do so, in accordance with the Eurojust retention schedule.

### **6. Contact information**



You have the right to access, rectify or erase or restrict the processing of your personal data or, where applicable, the right to object to processing or the right to data portability in line with Regulation (EU) 2018/1725.

Any such request should be directed to the Controller, by using the following email address:

[ls-admin-external@eurojust.europa.eu](mailto:ls-admin-external@eurojust.europa.eu), and by explicitly specifying your request.

You may also contact the Data Protection Office of the Eurojust ([dpo@eurojust.europa.eu](mailto:dpo@eurojust.europa.eu)).

## **7. Recourse**

You have the right to lodge a complaint to the European Data Protection Supervisor ([https://edps.europa.eu/data-protection/our-role-supervisor/complaints\\_en](https://edps.europa.eu/data-protection/our-role-supervisor/complaints_en)) if you consider that your rights under the Eurojust Regulations and/or Regulation 2018/1725 have been infringed as a result of the processing of your personal data or seek a judicial remedy before the Court of Justice.