

Privacy Statement for the migration of data of CEPOL servers to the new CEPOL ICT infrastructure

This privacy statement, in line with Articles 15 and 16 of Regulation (EU) 2018/1725¹ (hereinafter also referred to as EUDPR), provides information on the data subjects relating to the processing of personal data of individuals carried out by the European Union Agency for Law Enforcement Training (CEPOL) in fulfilling its tasks.

The purpose of this document is to describe how CEPOL complies with its obligations to protect personal data under Regulation (EU) 2018/1725 and to provide individuals with information about CEPOL's processing of personal data and their rights under the Regulation.

What is the purpose of the processing?

Due to the extensive cyber-attack having compromised the current CEPOL ICT infrastructure, CEPOL needs to set up a new ICT infrastructure and operate a migration of the content of the data hosted in CEPOL servers to a new IT cloud work environment in order to protect its operational structure and ensure a timely restoration of its activities and operations.

What is the legal basis for the processing of personal data ?

Regulation (EU) 2018/1725, in particular Article 5, paragraph 1(a) because the 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.

Regulation (EU) 2015/2219 of the European Parliament and of the Council of 25 November 2015 on the European Union Agency for the Law Enforcement Training (CEPOL) and replacing and repealing Council Decision 2005/681/JHA.

Decision of the Executive Director 36/2024/DIR on Crisis Management Policy and Contingency Plan, adopted by the Executive Director on 26 June 2024.

Business Continuity & Disaster Recovery Plan in relation to the cyber-attack on ICT local systems, adopted by the Executive Director on 28 June 2024.

Who is the data controller?

The data controller is CEPOL's Executive Director (executive.director@cepol.europa.eu).

Who are the data subjects?

The totality of CEPOL ICT infrastructure has been affected by the cyber-attack, therefore the data hosted by CEPOL in its servers will be migrated to the new CEPOL IT infrastructure, after cleaning process. In this context, data subjects are CEPOL staff, other individuals working for CEPOL (SNEs, interims, trainees and experts), CEPOL trainers, participants to CEPOL trainings, CEPOL's external experts, CEPOL stakeholders, CEPOL contractors, external users exchanging content and interacting with CEPOL, CEPOL visitors/correspondents/enquirers, etc.

¹Regulation (EU) 2018/1725 of the European Parliament and of 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39-98.

The comprehensive list of data subjects can be found in the 'Registry of data processing operations' available on CEPOL website (<https://www.cepola.europa.eu/data-protection>).

Which types of data are being processed?

As reported above, the data hosted in CEPOL servers, including personal data, will be migrated to the new IT work environment. A comprehensive list of the personal data being processed during the migration can be found in the 'Registry of data processing operations' available on CEPOL website (<https://www.cepola.europa.eu/data-protection>).

How is data processed?

Data will be copied from CEPOL servers to an intermediate IT environment managed by DG DIGIT, cleaned and thereafter transferred to the new IT work environment, hosted by Microsoft. Data regarding legal, procurement and HR files will be separated from the rest of the files and the access will be strictly limited.

Who are the recipients of the data being processed?CEPOL recipients

- CEPOL staff from the ICT service and other authorized CEPOL staff members according to the need-to-know basis for the purposes of the migration activity.

External recipients

- Computer Emergency Response Team for the EU institutions, bodies and agencies (CERT-EU) staff responsible for the migration process and other authorized CERT-EU staff members according to the need-to-know basis for the purposes of the migration activity.
- The Commission Directorate-General for Digital Services (DG DIGIT) staff responsible for the migration process and other authorized DG DIGIT staff members according to the need-to-know basis for the purposes of the migration activity.
- other EUIs services, if needed and according to the need-to-know principle.

Is data transferred to third countries or international organizations?

N/A

What rights do the data subjects have?

The migration will happen in compliance with Regulation (EU) 2018/1725 and the privacy statements in place about CEPOL's processing operations of personal data, as recorded in the 'Registry of data processing operations' available on CEPOL website (<https://www.cepola.europa.eu/data-protection>). Data subjects rights are described in Regulation (EU) 2018/1725 (Chapter III, Articles 14-25).

Substantiated requests should be emailed to executive.director@cepola.europa.eu.

General requests can be emailed to the CEPOL Data Protection Officer at dpo@cepola.europa.eu.

How long is your data retained by CEPOL?

In line with Article 4(1)(e) of EUDPR, the data controller only keeps the personal data for the time necessary to fulfill the purpose for which the personal data are collected and processed for the purpose of the migration. The retention periods mentioned in the relevant privacy statements remain valid.

Who should you contact for more information on the processing of your personal data by the Agency?**Data Protection Officer (DPO)**

Within CEPOL, there is a data protection officer. This person is independently responsible for ensuring the internal application of Regulation (EU) 2018/1725 and that the rights and freedoms of the data subjects are not likely to be adversely affected by the processing operations of personal data carried out by the Agency.

The DPO also provides advice and makes recommendations on rights and obligations of data controllers and data subjects. CEPOL's DPO can be contacted at dpo@cepol.europa.eu.

European Data Protection Supervisor (EDPS)

The European Data Protection Supervisor is an independent supervisory authority with the responsibility for monitoring and ensuring the application of data protection rules by EU Institutions and Bodies, which includes CEPOL. The EDPS provides advice to EU Institutions and Bodies on all matters relating to the processing of personal information and cooperates with national supervisory authorities to improve protection of personal information.

What should you do if you believe your data is being misused by the Agency?

If you believe your data is being misused by CEPOL, or is otherwise not compliant with your rights and freedoms under Regulation (EU) 2018/1725, you should notify the data controller.

You may also contact the Agency's DPO to inform him/her of any issues related to the processing of your data. If the problem is not rectified after contact with the data controller (executive.director@cepol.europa.eu), every data subject has the right of recourse to lodge a complaint with the EDPS, as provided for by Article 63 of Regulation (EU) 2018/1725.