Privacy Statement for the Processing Data in the CEPOL ICU Exchange and Mentoring Programmes

This document, in line with Articles 15 and 16 of Regulation (EU) 2018/1725[1], provides information to 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?

The purpose of processing is to enable the implementation of CEPOL ICU Exchange and Mentoring Programmes, in particular the management of the submission of applications, the selection of candidates, the matching process of the candidates and feedback. The management of the project process in relation to candidatures for CEPOL ICU Exchange and Mentoring Programmes submitted by the European Neighbourhood Policy countries[2] and international organisations[3] and their EU member state counterparts, takes place in the context of projects funded by the European Union.

Processing is necessary for the preparation, implementation, monitoring and follow-up actions to be organized under the framework of CEPOL's mandate and in order to ensure the successful delivery of project activities from a logistical and substantial perspective, including travel arrangements, security considerations, adequacy of participation or engagement and monitoring of participation.

Personal data is necessary for the performance of a task carried out by CEPOL as foreseen in Article 4, (2) and (4) of the Regulation (EU) 2015/2219 of the European Parliament and the

[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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39–98.
[2] Including specifically, Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestine*, Tunisia, Armenia, Azerbaijan, Belarus, Georgia, Moldova, Ukraine, Albania, Bosnia and Herzegovina, Kosovo*, Montenegro, North Macedonia, Serbia. This is without prejudice to further collaboration with other non-EU countries.
* This designation shall not be construed as recognition of a State of Palestine and is without prejudice to the individual positions of the European Union Member States on this issue.
** This designation is without prejudice to positions on status, and it is in line with the UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.
[3] AFRIPOL, League of Arab States and African Union. This is without prejudice to further collaboration with other international organisations.

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Council of 25 November 2015 on the European Union Agency for Law Enforcement Training (CEPOL) and replacing and repealing Council Decision 2005/681/JHA. It will serve to identify experts in the relevant areas, contact points and means of communication in order to fulfil the general objectives of CEPOL's mandate and the relevant projects as described below.

1. **CT INFLOW**
   - Contribute to preventing and disrupting terrorist networks and the activities of recruiters to terrorism;
   - Reinforce the institutional capacity of partner countries in matters of information exchange enabling the swift exchange of terrorism-related information while maintaining a high standard of data protection;
   - Provide criminal justice systems with the tools to improve regional and international cooperation in the fight against terrorism.

2. **EUROMED Police**
   - Enhance cooperation within partner countries and between partner countries and the EU;
   - Enhance capacity to produce structured training needs analysis;
   - Enhance evidence-based identification of priority areas in the Southern Neighbourhood areas.

3. **TOPCOP**
   - Strengthen strategic and operational cooperation between law enforcement authorities in the EaP countries, EU MS and EU Agencies;
   - Build the capacity of relevant law enforcement services of partner countries to fight against serious and organised international crime.

4. **WB PaCT**
   - Enhance knowledge of WB authorities of concrete law enforcement performance gaps that limit cooperation within the region and with the EU;
   - Improve capability and response by WB authorities to performance gaps;
   - Strengthen cooperation between Western Balkans and CEPOL.

5. **EU4Security Moldova**
   - Enhance state and societal resilience and socio – economic recovery with particular focus on stability and peace;
   - Improve human capital and operational capacities of the Ministry of Internal Affairs of Moldova for the delivery of professional security/ migration service.

Who is the data controller?

The data controller is the Head of the International Cooperation Unit, HeadofICU@cepol.europa.eu.

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

Regulation (EU) 2015/2219 and in particular Article 4, paras (2) and (4);

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Regulation (EU) 2018/1725 and in particular Article 5, para 1, (a) (b) (d);

The EU funded project Enhancing Information Exchange and Criminal Justice Responses to Terrorism in the Middle East and North Africa (CEPOL CT INFLOW II) regulated by Contribution Agreement No. 700001972 and its annexes;

The EU funded project EUROMED Police (CEPOL EUROMED VI Police) regulated by Contribution Agreement No. 700002160 and its annexes;

The EU funded project Training And Operational Partnership Against Organised Crime Project (CEPOL TOPCOP II) regulated by Contribution Agreement No. 700001970 and its annexes;

The EU funded project Partnership against Crime and Terrorism (CEPOL WB PaCT II) regulated by Contribution Agreement No. 7000018630 and its annexes;

The EU funded project EU4Security Moldova, regulated by Contribution Agreement NDICI-GEO-NEAR/2023/445-801 and its annexes.

Who are the data subjects?

All applicants to the CEPOL ICU Exchange and Mentoring Programmes; law enforcement officials, including police, customs, tax authority, prosecutors, border and coast guards, Financial Investigation Unit officers, judiciary and other law enforcement related officials, from all EU Member States, EU Candidate Countries, Western Balkans, Eastern Partnership, Southern Neighbourhood countries and other project partners.

Supervisors of the candidates in their role as reporting line of the candidates, National Exchange Coordinators (NECs), National Contact Points (NCPs) and Single Point of Contacts (SPOCs) in accordance with their role as coordinator.

Which types of data are being processed?

In the context of the preparation of the CEPOL ICU Exchange and Mentoring Programmes, the data is collected via an application form including the following:

Contact data	• First name • Last/family name • Email address • Office/ mobile phone
Professional data	• Title/rank/function • Country/ Organisation/ address of organisation • Professional qualifications and specialization and experience • Thematic areas/ sub-areas of interest • EUROPASS CV

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Application Preferences and Consent	• Country preferences and justification • Information on agreed pre-match, • Indication as per capacity to host exchanges • Description of expectations/comment on application from applicant • Consent of supervisor (along with contact details of supervisor: name, phone, title, email address) • Declaration on accepting the applicable User Guide
Others	• Gender • Date of birth • Mother tongue and knowledge of foreign languages • Consent for transfer of data to third countries • Nationality

In the context of facilitating the implementation of the CEPOL ICU Exchange and Mentoring Programmes, the data are collected via a travel request form and an activity plan form including the following:

Contact data	• First name • Last/family name • Email address • Office/ mobile phone
Professional data	• Title/rank/function • Country/ Organisation/ sending country
Travel information	• Passport/ID information • Visa application in the context of planned activities • Date and time of departure/arrival • Means of transport for departure/arrival and travel details • Accommodation details
Others	• Gender • Date of birth/Age • Nationality • Dietary and/or special requirements

During the implementation of the ICU Mentoring Programme participants are required to submit a visit follow-up report after each Mentoring visit, additionally two feedback forms will

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be requested during the programme in order to assess and monitor implementation. After the CEPOL ICU Mentoring Programme a Final Report and Feedback Form is requested. The line managers of participants in the CEPOL ICU Mentoring Programme are also requested to submit one Feedback Form.

After the CEPOL ICU Exchange Programme takes place, the participants are required to submit a Feedback Form and a Narrative report.

Identification data of the National Exchange Coordinator/ National Points of Contact/ Single Points of Contact as follows:

Identification data	• First name • Last/family name • Email address • Office/ mobile phone • Address of the Organisation

How is the data processed?

The processing is mainly manual. Initially, the candidates submit an application form to the respective NECs/NCPs/SPOCs. Subsequently, CEPOL receives the applications in electronic format via email. CEPOL stores the applications on a secure network drive. After CEPOL has concluded the “matching” phase, the NECs/NCPs/SPOCs are informed about their selected candidates and their counterparties.

Once the match is accepted by the relevant participants, the contact data of the matched participants in the CEPOL ICU Exchange and Mentoring Programmes is shared with their counterpart, via the NECs/NCPs/SPOCs in order to enable communication. The selected candidates liaise with their counterparts to identify their learning objectives in a form (activity plan form), which is then sent to CEPOL.

In the course of the CEPOL ICU Exchange and Mentoring Programmes, all feedback forms and all required reports will be provided and submitted in an online format, via email.

Physical files are kept in locked cupboards. Personal data may also be processed using different ICT applications. This processing is defined in the relevant privacy statement.

Who are the recipients of the data being processed?

- Dedicated CEPOL staff members, including staff handling administrative matters and travel arrangements, as well as the horizontal structure of the International Cooperation Unit for monitoring, evaluating and reporting purposes,
- National Exchange Coordinators (only in relation to the outcome of the matching process, name, email address of the candidates to be hosted);
- National Contact Points (only in relation to the outcome of the matching process, name, email address of the candidates to be hosted);
- Single Point of Contacts (only in relation to the outcome of the matching process, name, email address of the candidates to be hosted);
- Participants in the activities that have provided consent to share personal data with other participants.

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- External contractors booking logistical, travel and accommodation services for CEPOL (in relation to the type of data contained in the Travel Request form and/ or Activity Plan),
- Other EU institutions, agencies and bodies that have a working arrangement with CEPOL or are involved in the projects,
- EU bodies (upon request): European Court of Justice, European Ombudsman, European Data Protection Supervisor, European Anti-Fraud Office (OLAF), Internal Audit Service of the European Commission, European Court of Auditors,

Third countries or International organizations

Project activities in the context of International Cooperation may take place outside the EU/EEA. As a result, transfer of data to the respective counterparties of CEPOL might take place.

In such cases, Chapter V of Regulation (EU) 2018/1725 in relation of personal data to third countries or international organisations applies. In particular, in absence of adequacy decision, CEPOL controls whether any of the appropriate safeguards listed in Article 48 of Regulation (EU) 2018/1725 are in place. In absence of appropriate safeguards, CEPOL request the explicit consent of the data subjects concerned, in line with Article 50(1)(a) of Regulation (EU) 2018/1725.

What rights do data subjects have?

Data subjects have the right to access their personal data and the right to request from the controller rectification or erasure of personal data. Data subjects have the right to request restriction of processing of personal data concerning them or to object to the processing of their data.

Data subjects can refuse and/or withdraw their consent with respect to further processing of their data. In addition, and in case the processing is carried out by automated means, data subjects have the right to receive their personal data in a structured, commonly used and machine-readable format.

Data processing may be carried out during and only for the purposes of ensuring the successful delivery of each respective activity/set of activities and on the basis of consent of the data subjects. Data will be transferred to counterparties in third countries on the basis of consent of the data subjects. There will be no automated decision making or profiling upon their data.

Data subjects can request the exercise their rights to the Data Controller or DPO.

Substantiated requests should be emailed to HeadofICU@cepol.europa.eu. The time limit to block/erase data on justified grounds at the request of data subjects is 15 working days from the date of receipt of such a request. The data Controller shall notify the data subject once the blocking/erasing of the data has been completed.

General requests can be emailed to the CEPOL Data Protection Officer at dpo@cepol.europa.eu. Data subjects have the right to lodge a complaint to the EDPS.

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How long is your data retained by CEPOL?

Personal data is stored for a maximum of 5 years after the conclusion of the relevant project. At the end of the retention period, records containing personal data may be kept permanently for archiving and/or historical research purposes if such action is specifically stated in CEPOL's document management policy or required to fulfil a legal obligation.

The identification data of the National Exchange coordinators or Single Points of Contact remains for the whole period someone acts as in that capacity. Records referring to financial information as well as supporting documents pertaining to payments will be kept for a maximum of 5 years in line with the Financial Regulation.

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. The DPO keeps a register of all 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 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, in this case the Head of International Cooperation Unit, via HeadofICU@cepol.europa.eu.

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 and DPO, every data subject has the right to lodge a complaint with the EDPS, as provided for by Article 63 of Regulation (EU) 2018/1725.

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