



EUROPEAN COMMISSION

## **PROTECTION OF YOUR PERSONAL DATA**

**This privacy statement provides information about the processing and the protection of your personal data.**

**Processing operation:** *PEGASE Direct Financial Support (PEGASE DFS)*

**Data Controller:** Directorate-General for Neighbourhood and Enlargement Negotiations  
Contracts and Finance Unit (NEAR.R4)

**Record reference:** *DPR-EC-03749*

### **Table of Contents**

- 1. Introduction**
- 2. Why and how do we process your personal data?**
- 3. On what legal ground(s) do we process your personal data?**
- 4. Which personal data do we collect and further process?**
- 5. How long do we keep your personal data?**
- 6. How do we protect and safeguard your personal data?**
- 7. Who has access to your personal data and to whom is it disclosed?**
- 8. What are your rights and how can you exercise them?**
- 9. Contact information**
- 10. Where to find more detailed information?**

## **1. Introduction**

The European Commission (hereafter ‘the Commission’) is committed to protect your personal data and to respect your privacy. The Commission collects and further processes personal data pursuant to [Regulation \(EU\) 2018/1725 \(‘the Regulation’\)](#) 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 (repealing Regulation (EC) No 45/2001).

This privacy statement explains the reason for the processing of your personal data, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

The information in relation to processing operation of *PEGASE Direct Financial Support (DFS) to the Palestinian Authority (PA), contributing to the recurrent expenditure of the national budget* undertaken by The Office of the European Union Representative (West Bank and Gaza Strip, UNRWA) - EUREP is presented below.

## **2. Why and how do we process your personal data?**

PEGASE (French acronym for Mechanism "Palestino - Européen de Gestion et d'Aide Socio-Economique") is a European mechanism established in February 2008 by the European Commission to channel assistance for the building of a Palestinian state in a highly secured and controlled way. The European Commission, through the EUREP West Bank and Gaza Strip provides support to the budget of the Palestinian Authority through programme PEGASE - Direct Financial Support (hereafter “DFS”) with the objective to sustain the delivery of the basic services to the entire Palestinian population. PEGASE DFS programmes are implemented in full co-ordination with the Palestinian Authority (hereafter “PA”) and in close co-operation and transparency with the EU Member States, the European Parliament and other donors. PEGASE supports the recurrent expenditure of the PA, with systematic and predictable contribution to the payment of PA civil servant’s salaries and pensions, social allowances to poor and vulnerable Palestinian families, unpaid bills for medical referrals to the East Jerusalem hospitals, assistance to farmers in West Bank and Gaza, incentives to tenants in Jericho Agro Industrial Park and Gaza Industrial Estate.

Purpose of the processing operation: EUREP collects and uses your personal information to contribute to the payments made by the Palestinian Authority (PA) through one of the following PEGASE DFS programmes:

- I. The contribution to the payment of salaries and pensions of the Palestinian Authority's civil servants and pensioners (CSP programme)*
- II. Social allowances to the poorest and most vulnerable Palestinian families through the Cash Transfer Programme (CTP programme)*
- III. Health referral to East Jerusalem hospitals (EJH programme)*
- IV. Assistance of Agriculture in the West Bank (AAWB) for farmers and agro-businesses in West Bank Areas B and C affected by Israeli Occupation actions.*
- V. Private Sector Reconstruction in Gaza—Agriculture (PSRG-A) provides financial support to farmers and Agro-businesses directly affected by Israeli Occupation actions.*
- VI. PEGASE Industrial Estates Incentives programme which provides financial incentives mainly to the tenants at Jericho Agro-Industrial Park (JAIP) and Gaza Industrial Estate.*

Processing of the data provided by the Palestinian Authority (PA) through the afore-mentioned PEGASE DFS programmes takes place by teams of auditors who, based on EU eligibility criteria, identify and certify the eligible expenditures covered by the EU and donors contributions made available through PEGASE DFS Programme. This includes among others using a specialised screening software and online screening tool. This software is used to screen PEGASE individual beneficiaries and their agents (if any) against EU, international and ad hoc sanctions lists. In addition, the screening software is used to screen the entities benefiting from PEGASE and the natural persons who are members of these entities administrative, management or supervisory bodies or have power of representation, decision or control on a potential beneficiary or contractor, against EU, international and ad hoc sanctions lists

Your personal data will not be used for an automated decision-making including profiling.

### **3. On what legal ground(s) do we process your personal data**

*The data processing is considered lawful, because 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 in line with Article 5(1)(a) of Regulation (EU) 2018/1725, on the basis of:*

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, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p.1);

Regulation (EU) 2021/947 of the European Parliament and of the Council of 9 June 2021 establishing the Neighbourhood, Development and International Cooperation Instrument – Global Europe, amending and repealing Decision No 466/2014/EU and repealing Regulation (EU) 2017/1601 and Council Regulation (EC, Euratom) No 480/2009 (OJ L 209, 14.6.2021);

Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument;

Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action (CIR); (OJ L 342, 29.12.2015, p. 7); Article 7.1 of CIR provides that “the Commission shall take appropriate measures to ensure that, when actions financed under this Regulation are implemented, the financial interests of the Union are protected by the application of preventive measures against fraud, corruption and any other illegal activities, by effective checks and, if irregularities are detected, by the recovery or, where appropriate, the restitution of the amounts wrongly paid and, where appropriate, by effective, proportionate and dissuasive administrative and financial penalties.”

The Commission financing decisions, which identify the implementation modality and contain the concrete budgetary commitment in relation to a partner country:

- C(2014)5986 – Commission Implementing Decision of 26 August 2014 on the Annual Action Programme 2014 in favour of Palestine to be financed from the general budget of the European Union; and

- C(2016)1359 – Commission implementing decision of 29 February 2016 on the Annual Action Programme 2016 part 1 in favour of Palestine to be financed from the general budget of the European Union.

*In addition, we process your data for compliance with a legal obligation to which the controller is subject, as established in PEGASE DFS Financing Agreement(s) concluded between the EU, on the one hand, and the beneficiary partner country, on the other hand, on the implementation of the EU's external action for the benefit of the partner country and within its sovereign territory.*

*We process special categories of personal data as indicated in Section 4, because the processing is necessary for reasons of substantial public interest, on the basis of Union law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.*

#### **4. Which personal data do we collect and further process?**

In order to carry out this processing operation EUREP collects the following categories of personal data:

- *Name and passport number or ID number*
- *Bank account reference (IBAN, account number and BIC codes) necessary to execute the payments to the beneficiaries*
- *For eligibility verification and certification one or more of the following Information is processed: date of birth, gender, marital status, working status of the spouse, civil service and pensioners work information (Cost centre, Ministry name, work place name), civil service and pension job information (Job title, managerial position, job category, job grade information, starting date ), civil service salary and pension details, the applicable civil service payment law, the education certificate level and type, number of independent, social allowance received from the Ministry of Social Development and the corresponding health status and marital status, address, mobile number, nationality, the cost of Ministry of Health's referral to East Jerusalem Hospitals*

The provision of personal data is mandatory to meet a *statutory* requirement to certify the eligibility of EU and donors' funds committed through Financing Agreements and MoUs countersigned by EU /Donor and the Palestinian Authority. If your personal data are not provided, possible consequences might be that your payments will not be financed by PEGASE DFS contribution(s) to the relevant Palestinian Authority programme.

We have obtained your personal data from *the Government of the Palestinian Authority*.

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

EUREP only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing, namely for *10 years after the closure of the last financing agreement corresponding to a specific PEGASE DFS programme*.

After the periods mentioned above have elapsed, the files containing personal data are sampled to be sent to the historical archives of the Commission for further conservation. The non-sampled files are destroyed.

In case of investigations where irregularities are suspected or have been established in relation to an open file, it can only be closed when: (1) it has finally been established that no irregularity took place; or (2) the irregularity has been rectified, possibly, but not necessarily, as a result of litigation.

The contractors are under contractual obligation to keep records for a seven years period after the final payment made under the contract.

## **6. How do we protect and safeguard your personal data?**

All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored either on the servers of the European Commission or of its contractors. All processing operations are carried out pursuant to the [Commission Decision \(EU, Euratom\) 2017/46](#) of 10 January 2017 on the security of communication and information systems in the European Commission.

The Commission's contractors are bound by a specific contractual clause for any processing operations of your data on behalf of the Commission, and by the confidentiality obligations deriving from the transposition of the General Data Protection Regulation in the EU Member States ("[GDPR' Regulation \(EU\) 2016/679](#)")

In order to protect your personal data, the Commission has put in place a number of technical and organisational measures. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

## **7. Who has access to your personal data and to whom is it disclosed?**

Access to your personal data is provided to the Commission staff responsible for carrying out this processing operation and to authorised staff according to the "need to know" principle. Such staff abide by statutory, and when required, additional confidentiality agreements.

### Recipients within the EU organisation:

- Staff of operational and financial units of DG NEAR in both HQ and the EUREP participating in management and implementation of PEGASE programmes and the bodies charged with a monitoring or inspection task in application of Union law (e.g. internal control, internal audit);

### Recipients outside the EU organisation:

- External contractors and their staff who need to have access to the data strictly for implementation, performance, management and monitoring of PEGASE programmes.

### Transfer of personal data to third countries:

Transfers of personal data outside of the EU or the EEA are likely to occur in the context of implementation, performance, management and monitoring of PEGASE programmes.

In particular, the controller might transfer your personal data to the following recipients in a third country in accordance with Regulation (EU) 2018/1725:

Authorities of the donors countries acting as the interlocutors of the Commission staff in both HQ and the EUREP involved in the implementation, performance, management and monitoring of PEGASE programmes. Japan and United Kingdom are the donors for PEGASE programme. The Donors sign a MOU or Transfer agreement with the Commission and MOU with PA. In addition to the specific contribution disbursement report and the access to the detailed information related to their contributions, the Commission transmits to the donors the final

annual expenditure report, which covers all the PEGASE activities/payments during the year pertaining to the programme financed by their contribution, including the full list of the final beneficiaries. These transfers are based on adequacy decisions:

- [Commission Implementing Decision \(EU\) 2021/1772 of 28 June 2021](#) pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council on the adequate protection of personal data by the United Kingdom;
  - [Commission Implementing Decision \(EU\) 2019/419 of 23 January 2019](#) pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council on the adequate protection of personal data by Japan under the Act on the Protection of Personal Information;
- Authorities of the PA, in the form of reports regarding the eligibility verification and certification of the beneficiaries included in the PA lists submitted to the controller in the framework of PEGASE programmes, including the final annual expenditure report.
  - Non-EU/EEA based contractors involved in the implementation, performance, management and monitoring of PEGASE programmes (PEGASE DFS service providers: auditors, IT support team), EU/EEA contractors with offices located in the country where the programme is implemented or non EU/EEA subcontractor.

These transfers are based on derogations set out in Article 50(1)(d) of Regulation (EU) 2018/1725 - *the transfer is necessary for important reasons of public interest.*

The information we collect will not be given to any third party, except to the extent and for the purpose we may be required to do so by law.

## **8. What are your rights and how can you exercise them?**

You have specific rights as a 'data subject' under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, in particular the right to access your personal data and to rectify them in case your personal data are inaccurate or incomplete. Where applicable, you have the right to erase your personal data, to restrict the processing of your personal data, to object to the processing, and the right to data portability.

You have the right to object to the processing of your personal data, which is lawfully carried out pursuant to Article 5(1)(a) on grounds relating to your particular situation.

You can exercise your rights by contacting the Data Controller, or in case of conflict the Data Protection Officer. If necessary, you can also address the European Data Protection Supervisor. Their contact information is given under Heading 9 below.

Where you wish to exercise your rights in the context of one or several specific processing operations, please provide their description (i.e. their Record reference(s) as specified under Heading 10 below) in your request.

## **9. Contact information**

### **- The Data Controller**

If you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, please feel free to contact:

- **the Data Controller,**

Directorate-General for Neighbourhood and Enlargement Negotiations Contracts and Finance Unit (NEAR.R4), [NEAR-R4@ec.europa.eu](mailto:NEAR-R4@ec.europa.eu).

- **The Data Protection Officer (DPO) of the Commission**

You may contact the Data Protection Officer ([DATA-PROTECTION-OFFICER@ec.europa.eu](mailto:DATA-PROTECTION-OFFICER@ec.europa.eu)) with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

- **The European Data Protection Supervisor (EDPS)**

You have the right to have recourse (i.e. you can lodge a complaint) to the European Data Protection Supervisor ([edps@edps.europa.eu](mailto:edps@edps.europa.eu)) if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller.

**10. Where to find more detailed information?**

The Commission Data Protection Officer (DPO) publishes the register of all processing operations on personal data by the Commission, which have been documented and notified to him. You may access the register via the following link: <http://ec.europa.eu/dpo-register>.

This specific processing operation has been included in the DPO's public register with the following Record reference: *DPR-EC-03749*