



## **PROTECTION OF YOUR PERSONAL DATA**

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

**Processing operation:** Anti-fraud procedures in Global Health EDCTP3 JU

**Record reference:** DPO-04-03

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## **1. Introduction**

The protection of your privacy is of high importance to Global Health EDCTP3 JU. Global Health EDCTP3 JU is committed to respecting and protecting your personal data and ensuring your privacy rights.

All data of a personal nature processed within the framework of anti-fraud procedures in Global Health EDCTP3 JU, namely data that can identify you directly or indirectly, will be handled fairly, lawfully and with due care.

This processing operation is subject to Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data. The information in this communication is given pursuant to Articles 14, 15 and 16 of Regulation (EU) 2018/1725.

This Privacy statement provides detailed information on all types of data that can be processed within the framework of anti-fraud procedures in Global Health EDCTP3 JU.

## **2. Controller/ Joint controllers/Processors**

The relevant processing operation is under the responsibility of the Executive Director of the Global Health EDCTP3 JU, acting as the Data Controller. Your personal data are processed on the basis of applicable data protection legislation by Global Health EDCTP3 JU, located Avenue de la Toison d'Or, 1060 Brussels, Belgium. The Global Health EDCTP3 JU can be contacted by post (postal address TO-56, B-1049, Brussels, Belgium) or by email to [Info@global-health-edctp3.europa.eu](mailto:Info@global-health-edctp3.europa.eu)

Global Health EDCTP3 JU has appointed a Data Protection Officer (DPO). The task of the DPO is to ensure, in an independent manner, that Global Health EDCTP3 JU complies with the data protection law and protects individuals' rights and freedoms by protecting effectively their personal data. The DPO of Global Health EDCTP3 JU can be contacted by post (postal address TO-56, B-1049, Brussels, Belgium) or by email to [data-protection@global-health-edctp3.europa.eu](mailto:data-protection@global-health-edctp3.europa.eu)

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

This processing operation takes form in collecting personal data in order to analyse information about potential fraud and financial irregularities to assess whether there are grounds to transmit the information to the relevant authorities for investigation, in particular the European Anti-Fraud Office (OLAF). It also covers adopting and implementing measures needed to facilitate internal investigations conducted by OLAF.

Privacy notices relating to OLAF processing operations at the following link: [Data Protection - European Commission](#)

Also, the Global Health EDCTP3 Anti-fraud strategy is published on the Global Health EDCTP3 website and available in the following [link](#)

Thus, the purpose of the processing operation in Global Health EDCTP3 JU is to facilitate internal investigations conducted by OLAF, which may carry out further external investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with an agreement or a contract funded by the Global Health EDCTP3 JU.

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

#### **4. Which are the data subject categories concerned?**

This processing concerns the following data subject categories:

- Natural persons who are or were suspected of wrongdoing which is the subject of the OLAF investigations;
- Natural persons who have provided information to OLAF including informants, whistleblowers, witnesses and persons who have provided statements;
- Staff of OLAF operational partners (e.g. competent staff of the EU institutions and bodies or national authorities) working on OLAF matters whose name appears in documents stored by OLAF;
- Other persons whose name appears in the case file but have no relevance to the case.

#### **5. Which personal data do we collect and further process and on which legal grounds?**

In order to carry out this processing operation Global Health EDCTP3 JU collects the following categories of personal data: personal characteristics, profession, and personal details

In particular: identity information, contact details, function, professional information, case-specific information which can be subjective (allegations, declarations based on opinions, etc.).

Special categories of personal data may be processed if absolutely necessary.

We process your personal data because the processing operations carried out in this context are necessary and lawful under the following legal basis: Regulation (EU) 2018/1725 and more specifically Article 5.1(a) Regulation (EU) 2018/1725 “*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;*”

The necessity is foreseen by the following legal and administrative acts:

- Articles 287 and 325 of the Treaty on the Functioning of the European Union (TFEU);
- Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe, in particular Article 54;

- Council Regulation (EU) 2021/2085 establishing the Global Health EDCTP3 JU, in particular Article 30;
- Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union (recast);
- Governing Board Decision n° 9/2024 on the Global Health EDCTP3 JU anti-fraud strategy (GH-EDCTP3-GB.09.2024);
- Financial Rules of Global Health EDCTP3 JU, in particular Chapter 4 (Article 19,24 and 26), Chapter 7 (Article 40) and Chapter 9 (Article 58);
- Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities;
- Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF);
- The Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the Court of Auditors on the Commission anti-fraud strategy;
- The European Anti-Fraud Office (hereafter “OLAF”) Methodologies and guidance for anti-fraud strategies for DGs’ and EU decentralised agencies;
- Governing Board decisions n°11/2023 on Internal control framework, n°26/2023 on accession to the interinstitutional agreements and n°27/2023 on internal investigation by OLAF;
- Executive Director decisions n°17/2023 on appointing the OLAF Correspondent of the Global Health EDCTP3 JU and n°22/2023 on the adoption of the Global Health EDCTP3 JU ICF Action Plan.

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

Access to your personal data is provided to Global Health EDCTP3 JU staff responsible for carrying out this processing operation and to authorised staff according to the “need to know” principle (such as the Global Health EDCTP3 JU staff dealing with anti-fraud cases). Such staff abide by statutory, and when required, additional confidentiality agreements.

In addition, as a follow-up to the handling of the case, the Global Health EDCTP3 has a duty to transfer to OLAF without delay any information relating to possible cases of fraud, corruption or any other illegal activity affecting the financial interests of the EU. The necessity for transferring the information, including personal data, to OLAF is assessed on a case-by-case basis.

OLAF may also be notified by the informant through the [Fraud Notification System](#). The access to personal data will then be restricted.

Other recipients may include (if necessary): European Court of Auditors, Court of Justice, European Commission Internal Audit Service, Competent national authorities of EU Member states and/or third countries, intra and extra-muros external service providers.

## **7. How long do we retain your personal data?**

Files concerning fraud are kept for seven (7) years, according to the Global Health EDCTP3 Retention Policy. The start date of the retention period is the closure of the file. A file is considered closed when there are no more possible legal consequences or actions to be taken with regard to the file.

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

In order to protect your personal data, Global Health EDCTP3 JU has put in place technical and organisational measures in place. 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

Access on a need-to-know basis and measures are also adopted by OLAF.

## **9. What are your rights and how to exercise them?**

As a 'data subject' you have, under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, specific rights. In particular:

- You have the right to request access to all personal data processed by us pertaining to you.
- You have the right to rectification, i.e. to ask that any personal data pertaining to you that are inaccurate, be corrected.
- You have the right to withdraw your consent for processing of your personal data.
- You have the right to erasure, i.e. to request that personal data pertaining to you be deleted if these data are no longer required in the light of the purposes outlined above in Heading 3.
- You have the right to restriction instead of deletion, i.e. to request that we limit the processing of your personal data.
- you have the right not to be subject to a decision based solely on automated processing of data, including profiling, if such decision has legal effect on him or her, except for certain situations, such as entering into a contract (as required by articles 14-16 & 24 of Regulation (EU) 2018/1725).
- You have the right to data portability, i.e. to receive from us in a structured, commonly-used and machine-readable format all personal data you have provided to us if the processing is based on your consent or a contract with you and the processing is carried out by automated means.

Possible restrictions as laid down in Article 25 Regulation 2018/1725 can apply based on Global Health EDCTP3 JU Governing Board decision n°18/2023 laying down internal rules concerning restrictions of certain rights of data subjects in relation to processing of personal

data in the framework of the functioning of the Global Health EDCTP3 JU, in particular Articles 3(1)(a), (e), (f), (g) and (h).

Restrictions may also apply based on the Commission decision 2018/1961 of 11 December 2018 laying down internal rules concerning the provision of information to data subjects and the restriction of certain of their rights in the context of the processing of personal data for the purpose of internal audit activities.

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 Global Health EDCTP3 JU Data Protection Officer by post (postal address TO-56, B-1049, Brussels, Belgium) or by email to [data-protection@global-health-edctp3.europa.eu](mailto:data-protection@global-health-edctp3.europa.eu)

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

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 Global Health EDCTP3 JU, as a data subject, you have a right to recourse to the European Data Protection Supervisor (EDPS) at any time by e-mail to [edps@edps.europa.eu](mailto:edps@edps.europa.eu) or a letter to the EDPS postal address marked for the attention of the EDPS DPO:

European Data Protection Supervisor  
Rue Wiertz 60  
B-1047 Brussels  
BELGIUM

For more information on the EDPS, please consult their website: <https://www.edps.europa.eu>.

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

The Global Health EDCTP3 JU Data Protection Officer (DPO) publishes the Register of all processing operations on personal data by the Global Health EDCTP3 JU on the website. The Register can be found [here](#).

This specific processing operation has been included in the Global Health EDCTP3 JU Public Register with the following Record reference: DPO-04-03.