



## European Union Advisory Mission in Iraq

# PRIVACY STATEMENT

regarding the processing and protection of personal data  
related to the Mission's procurement procedures

### 1. Introduction: What is this statement about?

Personal data is data that can identify you as a person, directly or indirectly. The protection of your privacy including your personal data is of great importance to the European External Action Service (EEAS), the European Commission's Service for Foreign Policy Instruments of the European Commission (FPI), and the civilian crisis management missions under the European Union's Common Security and Defence Policy (CSDP) including the European Union Advisory Mission in support of Security Sector Reform in Iraq (EUAM Iraq). Consequently, all personal data that can identify you either directly or indirectly will be handled legitimately and with the necessary care. When processing personal data, EUAM Iraq respects the principles of the [Charter of Fundamental Rights of the European Union](#), especially its Article 8 on data protection.

This Privacy Statement describes how EUAM Iraq processes your personal data for the purpose for which it has been or is going to be collected and what rights you have as a data subject.

Your personal data is collected, processed, and stored by EUAM Iraq in accordance with the principles and provisions of the relevant legislation on data protection, including the [Regulation \(EU\) 2018/1725 of 23 October 2018 of the European Parliament and of the Council 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](#), aligned with the provisions of the [Regulation \(EU\) 2016/679 of 27 April 2016 of the European Parliament and of the Council on the Protection of Natural Persons with Regard to the Processing of Personal Data and on the Free Movement of Such Data \(the General Data Protection Regulation, GDPR\)](#), and in accordance with the Civilian Operations Commander's Instruction no. 12 of 2018 and its subsequent amendments as well as with EUAM Iraq's Standard Operating Procedures (SOP) no. 21 of 24 February 2019 on Personal Data Protection.

All data of personal nature is handled fairly and lawfully, and with the necessary care.

### 2. Purpose of the data processing operation: Why do we process your personal data?

Personal data is collected and further processed by EUAM Iraq upon reception of tenderers' expression of interest, tender or request to participate in procurement procedures, for the purpose of managing and administering the Mission's procurement procedures.

Another reason for processing personal data is to verify the identity and the legitimacy of tenderers, bidders and others involved in EUAM Iraq's procurement procedures.

The data may be used in case of disciplinary or criminal proceedings or to fulfil other legal requirements.

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

### 3. Data that has been or will be processed: What personal data do we process?

The data, including personal data, which may be processed for the above purpose are the following:

1. Surname(s), middle name(s) and first name(s), job title/professional function or occupation, contact details (address, email address, telephone number, internet address), employer's contact details (address, email address, telephone number, internet address), age, gender, date of birth, civil status, education, identity card or passport number; country of origin and residence, certificate on absence of criminal records;
2. Bank account coordinates (IBAN and BIC codes, bank registration details, account number);
3. Business registration details including VAT number;
4. Information for the evaluation of selection criteria or eligibility criteria: expertise, technical skills and languages, educational background, professional experience, including details on current and past employments; and,

5. Declaration on honour regarding not being in one of the exclusion situations referred to in article 136 of the Financial Regulation.

#### 4. Controller of the data processing operation: Who is entrusted with processing your personal data?

The controller determining the purpose and the means of the processing activity is EUAM Iraq, represented by its Head of Mission, which in this capacity executes his or her duty as Data Controller. The Mission entity responsible for managing the procurement procedures and the relevant database is the Procurement Office of the Mission Support Department under the ultimate supervision of the Head of Mission.

#### 5. Recipients of the data: Who has access to your personal data?

The recipients of your data may include the following:

##### I. Internal to the Mission:

- a. All mission members of EUAM Iraq's Procurement Office or those directly involved in the procurement procedures have access to all information in the Mission's procurement database.
- b. The Mission's verification officers.
- c. Relevant authorising officers of the Mission, including mission members to whom authority has been delegated.
- d. Mission members acting as hosts of visitors and who will enter or has entered the personal data of the visitor in the visitor's database.
- e. Personnel of the Mission's Communications and Information Services personnel responsible for maintaining the Mission's procurement database have access to certain personal data.
- f. Relevant persons involved in disciplinary proceedings, as applicable.

##### II. External to (outside of) the Mission:

- a. External auditors, including from various European Union institutions and bodies, e.g. the European Court of Auditors, OLAF, the Internal Audit Service, or as appointed by the European Commission.
- b. Relevant Iraqi or EU or EU Member State public authorities involved in disciplinary or criminal proceedings or to fulfil other legal requirements, as applicable.

The personal data will not be communicated to third parties except when necessary for the purposes outlined above.

#### 6. Provision, access, rectification and erasure of the data: What rights do you have?

You have the right to access your personal data and the right to request correction of any inaccurate or incomplete personal data. When applicable, for instance if your personal data have been collected erroneously or illegally, you have the right to request erasure of the data, to restrict the processing of it, the right to data portability as well as the right to object to the processing, which is lawfully carried out on grounds relating to your situation.

If you wish to exercise your rights or if you have any questions concerning the processing of your personal data, you may address them to the following functional mailbox: [data.protection@euam-iraq.eu](mailto:data.protection@euam-iraq.eu).

#### 7. Legal bases for the data processing operation: On which grounds do we collect your personal data?

We process your personal data because:

1. 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 or the Mission; and/or,
2. Processing is necessary for compliance with a legal obligation to which the Data Controller is subject, e.g. executing and implementing the Mission's mandate as decided by the Foreign Affairs Council of the European Union (see below).

In particular, the applicable legal provisions are the following:

- Article 6 of the Foreign Affairs Council of the European Union's Decision no. (CFSP) 2017/1869 of 16 October 2017, as amended by Council Decisions (CFSP) 2018/1545 of 15 October 2018, (CFSP) 2020/513 of 7 April 2020 and (CFSP) 2022/635 of 13 April 2022;
- Article 4.3.1 of the Mission's 2020 Operations Plan (OPLAN, RESTREINT UE/EU RESTRICTED);
- EUAM Iraq's SOP no. 12 of 20 March 2018 on Procurement Rules and Contract Management;
- 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 (the Financial Regulation);
- European Commission Service for Foreign Policy Instruments' Vade mecum on Financial and Accounting procedures for CSDP Missions (v.3 of 28 November 2021); or,
- European Commission Procurement Rules for Common Foreign and Security Policy (CFSP) Operations (v. 3 of 10 April 2019).

## 8. Time limit for storing data: How long do we store your personal data?

### II. Retention of data:

1. Personal data such as listed in Section 3 above will be retained for five (5) years after the expiry of the relevant Contribution Agreement between EUAM Iraq and the European Commission, for the purpose of audit and possible investigation.
2. In case of a judicial procedure related to employment of a contracted mission member or tour of duty of a seconded mission member, personal data is kept for five (5) years after the final judgment was rendered.
3. In case of a complaint launched before the European Ombudsman or before the European Data Protection Supervisor or an investigation conducted by the European Anti-Fraud Office (OLAF) or by EPPO or a verification by the European Court of Auditors, personal data is kept for five (5) years after the closure of the case.

### III. Security of data:

1. Appropriate organisational and technical measures are ensured as follows:
  - a. In its electronic format, personal data will be stored in EUAM Iraq's procurement database, which is a part of the Mission's Communications and Information System. Personal data submitted physically, e.g. on paper, will be entered into the database or saved as PDF, and the physical medium will either be archived or destroyed or handed back to the submitter, as appropriate.
  - b. The stored personal data adhere to relevant, applicable security measures and by the confidentiality obligations deriving from the GDPR. The collected personal data will only be processed by assigned mission members. Access to the files of the database is only granted to recipients with authorised, password protected administrative or viewer rights on a legitimate need-to-know basis and solely for the purposes of the processing operation, and only upon instruction of the Data Controller and only for the personal data that corresponds to their access rights.
  - c. The measures are provided to prevent unauthorised persons or entities from gaining access to the files, be it for reading, copying, disclosing, altering or removing or erasing or deleting stored personal data.
  - d. 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, and logging of who have recorded or accessed personal data and at which times.
  - e. Security is also ensured by the safety measures built in the various IT applications used.

## 9. Data protection contact: Do you have any questions regarding this statement?

If you have questions related to the protection of your personal data, you may also contact EUAM Iraq's Mission Data Protection Advisor (MDPA) at [data.protection@euam-iraq.eu](mailto:data.protection@euam-iraq.eu).

## 10. Recourse: Where can you complain?

You have at any time the right of recourse, which you may submit to EUAM Iraq's Data Controller with the MDPA in copy, via [data.controller@euam-iraq.eu](mailto:data.controller@euam-iraq.eu).

## DISCLAIMER

This Privacy Statement is subject to adjustments in line with the completed internal data protection procedure arrangements of both the EEAS, the FPI and the Mission.