

Frontex complaints mechanism PRIVACY STATEMENT

1. WHAT PERSONAL DATA DO WE COLLECT?

The personal data you provide through your complaint, including your name, contact details or supporting documents (such as medical or police reports or photos).

2. WHY DO WE COLLECT YOUR DATA?

Your data will be processed so that the Fundamental Rights Officer (FRO) and the Fundamental Rights Office staff, who will deal with your complaint, can handle and process the complaint.

3. LEGAL BASIS FOR THE PROCESSING

The legal basis for the processing of your data is Article 111 paragraph 11 of the Regulation (EU) 2019/1896¹. The FRO will process your data based on Article 5 paragraph 1 (d) of the Regulation (EU) 2018/1725². By submitting the complaint, you give your consent for the processing. You have the right to cancel that consent at any time.

4. WHO COLLECTS YOUR DATA?

Your data will be collected by the FRO, who is the data controller. You can reach the FRO at complaints@frontex.europa.eu.

5. WHO ELSE CAN SEE YOUR DATA?

Only if you give a consent, the FRO and the Fundamental Rights Office staff, who will deal with your complaint, can send your data to: the Frontex Executive Director, the competent national authority(ies) from the relevant Member State(s) and the relevant national fundamental rights institutions; the disclosure of your data to these parties will depend on the person who has allegedly violated your rights and on the rights that have allegedly been violated.

¹ Regulation (EU) 2019/1896 of 13 November 2019, on the European Border and Coast Guard. (OJ L 295, 14.11.2019, p. 1).

² Regulation (EU) 2018/1725 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. (OJ L 295, 21.11.2018, p. 39-98).

If you do not give a consent, your data will not be disclosed. It is important for you to know that without your consent your complaint might be rejected by those authorities, in case they do not accept anonymous complaints.

Your data will not be given to a third country or international organisation.

6. HOW LONG DO WE KEEP YOUR DATA?

Your data will be stored for the period of three (3) years. If you have submitted the same complaint to national or international courts, your data will be stored for the period of five (5) years, due to possible court proceedings. The retention period is counted from the moment of the closure of the case. After that period the data will be deleted.

7. WHAT ARE YOUR RIGHTS?

You have the right to access your data and the right to ask the FRO to correct or delete your data or to limit the processing of it. You can submit a complaint to the European Data Protection Supervisor at www.edps.europa.eu. In case you need any clarification you can also contact the Frontex Data Protection Officer at dataprotectionoffice@frontex.europa.eu. No automatic decision-making will be done based on your data.

8. OTHER PERSONS MENTIONED IN YOUR COMPLAINT

If in your complaint you give us data of any witnesses, persons who allegedly violated your rights or other persons, the FRO and the Fundamental Rights Office staff, who will deal with your complaint, will process these data as well. These persons will be informed of the processing of their data where possible.