



PRIVACY NOTICE AND CONSENT FORM
for Announcement of Opportunity or Call for mission

Introduction

The European Space Agency (herein the “Agency” or “ESA”) is an intergovernmental organisation established by its Convention opened for signature in Paris on 30 May 1975 having its headquarters located at 24 rue du Général Bertrand, CS 30798, 75345 Paris Cedex 07, France.

Protection of Personal Data is of great importance for ESA, which strives to ensure a high level of protection as required by the ESA Framework on Personal Data Protection (herein the “ESA PDP Framework”) which applies in this field. ESA implements appropriate measures to preserve the rights of data subjects, to ensure the processing of personal data for specified and legitimate purposes, in a not excessive manner, as necessary for the purposes for which the personal data were collected or for which they are further processed, in conditions protecting confidentiality, integrity and safety of personal data and generally to implement the principles set forth in the PDP Framework, available at: http://www.esa.int/About_Us/Law_at_ESA/Highlights_of_ESA_rules_and_regulations

ESA PDP Framework is composed of the following elements:

- the Principles of Personal Data Protection, as adopted by ESA Council Resolution (ESA/C/CCLXVIII/Res.2 (Final)) adopted on 13 June 2017;
- the Rules of Procedure for the Data Protection Supervisory Authority, as adopted by ESA Council Resolution (ESA/C/CCLXVIII/Res.2 (Final)) adopted on 13 June 2017; and
- the Policy on Personal Data Protection adopted by the Director General of ESA on 5 February 2018 and effective on 1 March 2018.

This notice is intended to inform you, as data subject, about:

- the identity of the data controller and contact details of the ESA Data Protection Officer (“DPO”);
- the type of personal data which is collected and processed;
- the modalities of collection of personal data;
- the purpose of the collection and processing;
- the recipients (if any) to whom the personal data of the data subject shall be disclosed;
- the time-limits for storing the personal data;
- the practical modalities of exercising the rights of the data subject under the ESA PDP Framework.

This notice also enables ESA to obtain your consent relating to the collection and further processing of your personal data, under the ESA PDP Framework.



(1) Who is the Data Controller?

The Announcement of Opportunity or Call for mission process is a multiple controller process. This means that each controller is responsible for the data in their own possession.

Your personal data are collected and further processed as shown below upon the decisions taken by ESA, by the proposal submitter or proposal submitter organisation (hereafter known as “Submitter”) and any external experts that may be involved in the evaluation process.

The Data Controller for the data collected and submitted by the Submitter to ESA is the Submitter. Upon receipt of the data, ESA becomes the Data Controller for the submitted data. If external experts are involved in the evaluation of proposals, they act as separate Data Controllers for any personal data they receive as part of the process.

This privacy notice provides the details only for the ESA processing of your data.

(2) What are the contact details of the ESA Data Protection Officer?

According to the ESA PDP Framework, your first point of contact concerning personal data matters is the ESA Data Protection Officer (“DPO”), who may be contacted at DPO@esa.int. Separate Data Controllers may be reached via AO-support@esa.int.

(3) What kind of personal data about you are collected and further processed?

The personal data which may be collected and further processed for the purposes mentioned below are in particular:

- Name
- Title
- Institute
- Address
- Country
- E-mail address
- Other information that you provide and which may directly or indirectly identify you

You are required not to send to the Agency any sensitive information (including information that indicate, directly or indirectly, an individual’s racial or ethnic origin, political opinions, adhesion to unions, religious or philosophical beliefs, health life, sexual orientation, genetic or biometric data, criminal convictions).



(4) How are your personal data collected or further processed?

Your personal data are being/have been supplied by you or your proposal Submitter via the web form that referenced this privacy notice.

The proposals (including your personal data) will be assessed by internal ESA reviewers.

Proposals may also be sent to external experts for assessment. In that case, these experts act as separate Data Controllers under the legislation applicable to them. ESA signs Non-Disclosure Understandings with all external experts obliging them to secure the data and to retain it only as long as required for the purpose of the evaluation.

(5) Why are your personal data collected and further processed?

Your personal data are collected and further processed:

- *to enable your participation in an Announcement of Opportunity or Call;*
- *to engage in correspondence with you related to an Announcement of Opportunity or Call;*
- *to facilitate the assessment of a proposal or application for an Announcement of Opportunity or Call;*
- *to announce the successful candidate on ESA web platforms;*
- *for statistical analysis.*

The information is used for associating you to the proposal submitted via this website and as part of the evaluation process by internal and external experts.

In addition to these purposes, the Agency may use your personal information for any of the purposes mentioned in Article 5 of the Policy on Personal Data Protection.

(6) To whom might we disclose your personal data?

The Agency may disclose your personal data to any of the following third-party recipients for the fulfilment of all or part of the purposes of the collection and processing of personal data, which are mentioned above:

Recipient acting as...	Servers and sub-processors of the recipient are located in:
<i>Website and site administrators</i>	<i>ESA establishments in Europe</i>
<i>Proposal coordinator</i>	<i>ESA establishments in Europe</i>
<i>ESA internal experts</i>	<i>ESA establishments in Europe</i>
<i>External experts</i>	<i>EEA/EU/UK (Territories demonstrating Adequate Level of Protection)</i>



The Agency does not consider your personal data as an asset for sale and, thus, does not sell your personal data to any third parties.

(7) *How long do we retain your personal data for?*

The Agency may keep your personal data in an active environment for the period of the evaluation of the Announcement of Opportunity or Call. At a period of up to one year after the assessment, your personal data shall be archived, as part of the submitted proposal or application, in an ESA archive for the purpose of maintaining intellectual property rights, authorship, and historical reasons thereafter.

The name of the Submitter of a successful proposal may be published on an ESA website and will remain there for the duration of the Science Programme on the grounds of public interest and transparency.

(8) *How can you erase, rectify, complete, or amend your personal data?*

The Agency is keen to collect and process accurate personal data and to keep it updated.

You may request the erasure, rectification, completion, or amendment of your personal data if, and to the extent that it is inaccurate or incomplete, having regard to the purposes for which they are collected and processed, or if they are processed in violation with the principles referred in the ESA PDP Framework.

If you choose to make a request for the erasure of personal data, you understand and agree that ESA cannot process your submission to the Announcement of Opportunity or Call.

The above-mentioned request should be submitted to the ESA DPO, as first point of contact, by sending an email to: dpo@esa.int

(9) *What could you do in case of a data protection incident?*

In case of a data protection incident, you should contact the ESA DPO, as first point of contact, by sending an email to: dpo@esa.int

In case you wish to submit a complaint, you are required to comply with the Rules of Procedure of the Supervisory Authority set forth by the ESA PDP Framework. You will be required to demonstrate that a data protection incident occurred in relation to your personal data, following a decision of the Agency or at least to justify serious reasons to believe that such incident occurred.



(10) *Your consent*

The processing of personal data described in this privacy notice is based on your consent. You may provide your consent by accepting this privacy notice (selecting the 'I accept the privacy notice associated with the AO/Call' checkbox) prior to submitting the form.

You can withdraw such consent by requesting ESA to stop the processing. This will not affect the legitimacy of the personal data processing that took place prior to the withdrawal of user consent.

You can withdraw your consent at any time:

- by sending an email to ESA DPO at: dpo@esa.int ; copy: ao-support@esa.int

If users choose to withdraw their consent, they understand and agree that ESA cannot continue with the submission to the Announcement of Opportunity or Call.