



## **PRIVACY NOTICE AND CONSENT FORM FOR PERSONAL DATA COLLECTED ON BEHALF OF ESA IN CONNECTION WITH THE ESA SWE PORTAL AND ASSOCIATED SERVICES**

[DPNR 1925]. This privacy notice was last updated on 09/02/2024

### **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. The 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 for processing of Personal Data at ESA, available at:

[http://www.esa.int/About\\_Us/Law\\_at\\_ESA/Highlights\\_of\\_ESA\\_rules\\_and\\_regulations](http://www.esa.int/About_Us/Law_at_ESA/Highlights_of_ESA_rules_and_regulations)

The ESA PDP Framework applicable for the processing of Personal Data within ESA 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 Director General of ESA on 5 February 2018 and effective on 1 March 2022

### **Scope of this Privacy Statement**

This notice is intended to inform you, as data subject, about the processing of your personal data in the context of utilisation of the ESA SWE Portal and associated services and more specifically about:

- the identity of the data controller and contact details of 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.

Please be aware that all references to “Data” in this document if not otherwise stated relate to data by which an individual could be identified/ having an identifying character, broadly defined as Personal Data.

### **Description and the Purpose for this Processing of your Personal Data**

Your personal data mentioned in point 3 below are collected and further processed for the following purposes:

- to provide you access to, and enable the use of the ESA SWE Portal;
- to send you notifications in connection with SWE Service updates and improvements relevant to you;
- to send you newsletters and information about new features in relation to the above;
- to invite you to participate in user surveys, relevant webinars and training courses;
- to respond to queries raised by you via the service helpdesk and/or online helpdesk contact form.



**Legal Basis:**

We collect and process Your personal data because it is necessary for the activities conducted to fulfil Our purpose, which is *“to provide for and to promote, for exclusively peaceful purposes, cooperation among European States in space research and technology and their space applications, with a view to their being used for scientific purposes and for operational space applications systems”* (as per ESA Convention). We serve the public interest, and we wish to foster the public interest in space activities and programmes. We process Your personal data pursuant to the ESA PDP Framework, in particular pursuant to Article 5 of the ESA PDP Policy, for fair, specified and legitimate purposes or for purposes compatible therewith. The processing of your personal data by ESA for this event is lawful as it is necessary for the performance of a task carried out in the public interest.

Generally, the processing referred to in this notice falls under **Article 5.2.1.i. of the ESA PDP Policy**, i.e.:

- 5.2.1 i. (a) ESA PDP Framework; The performance of an activity carried out by the Agency within its purpose and in the framework of, and in conformity with, the ESA Convention, the “Agreement between the States Parties to the Convention for the establishment of a European Space Agency and the European Space Agency for the protection and the exchange of classified information” done in Paris on 19 August 2002, and the applicable rules and procedures, including ESA Security Regulations and Directives; this includes Processing necessary for the Agency’s management and functioning, Dispute Resolution Procedure, and or Investigation Procedures;
- 5.2.1 i. (e) ESA PDP Framework; The performance of a contract concluded by the Agency within its purpose in relation with an activity carried out by the Agency in the framework of, land in conformity with, the ESA Convention and the applicable rules and procedures;
- 5.2.1.i. (g) for purposes covered by Your Consent, as it may be obtained from You under a separate document (e.g. Consent form) where applicable.

Consent is collected via registration for the SWE portal or through use of the associated services.

**Data Controllers, Data Processors, other Recipients of Personal Data:**

*The following table lists all the involved companies, agencies or otherwise, where your personal data may be processed and all relevant information concerning their involvement in this activity.*

Processing Entity	Type of Personal Data	Description of Processing Responsibilities and Specific Purpose of the Processing
<i>ESA and contractors involved in the operation, maintenance and hosting of the Portal and the included SWE Service Content as follows: Royal Belgian Institute of Space Aeronomy, Royal Observatory of Belgium, Astronomical Institute of Romania, Space Applications Services, Istituto Nazionale Di Astrofisica (INAF), University of Graz, Institute of 4D Technologies - Fachhochschule Nordwestschweiz, Academy of</i>	Your name, surname, email address,	Your personal data are collected and processed to provide access to the SWE Portal and associated services as described in this privacy notice under contract to ESA.



<p><i>Athens, UK Met Office, STFC RAL Space, Technical University of Denmark, Catholic University of Leuven, DHConsultancy, University of Gottingen, Catholic University of Louvain, Deutsches Zentrum für Luft- und Raumfahrt, University of Turku, British Antarctic Survey, National and Kapodistrian University of Athens, University College London, Seibersdorf Laboratories, Paul Buehler, Czech Academy of Sciences, Institute of Space Science Romania, Norwegian Mapping Authority, Polish Academy of Sciences, Finnish Meteorological Institute, Universitat Politècnica de Catalunya, British Geological Survey, University of Bergen, Swedish Institute of Space Physics, University of Alcalá, Centre de Donnes de la Physics des Plasmas, Geoforschungszentrum , National Observatory of Athens, Hoeg4Research, Deimos Space UK, Univ. Paris-Saclay, Office National d'Etudes et de Recherches Aérospatiales (ONERA), Space Applications &amp; Research Consultancy (SPARC), Istituto Nazionale di Geofisica e Vulcanologia (INGV), Infor'Marty, Astronomical Institute of the Czech Academy of Sciences (ASUCAS), Eötvös University (ELTE), Commissariat à l'Energie Atomique et aux énergies alternatives, Paris-Saclay (CEA), Graz University of Technology (TU Graz),</i></p>	<p>telephone number<sup>1</sup>, affiliation, country and IP address</p>
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**Contact Details per involved entity:**

Entity	Contact Details
<p><b>European Space Agency (ESA) as Controller</b></p>	<p><b>Headquarters: 8-10 Rue Mario Nikis, CS 45741, 75738 Paris Cedex 15, France.</b></p> <p>Your first point of contact is ESA's DPO at <a href="mailto:DPO@esa.int">DPO@esa.int</a> at all times.</p> <p>You may also contact the SWE helpdesk <a href="mailto:helpdesk.swe@esa.int">helpdesk.swe@esa.int</a></p>
<p><b>ESA DPO</b></p>	<p>Data Protection Officer: <a href="mailto:DPO@esa.int">DPO@esa.int</a></p>

**Personal Data Retention and Deletion:**

Personal data is retained by ESA for the time period necessary to fulfil the legitimate purpose of the processing.

Your personal data is retained for as long as you remain registered for the SWE services.

In case associated services are used without registration (e.g. helpdesk contact or webinar participation), your personal data will be deleted after a maximum period of 2 years after closure of the associated ticket or action.

**Other Considerations**

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<sup>1</sup> Telephone number, country and affiliation are not required for overall SWE Service registration but may be required to access certain specific products/functionalities provided through the portal. The user will be prompted where this occurs.



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.

### **Third party tools, including Social Media**

Third party IT tools or social media may be used to promote and inform you about an activity (meeting, event). ESA websites may provide links to social media and videos may be available on ESA social media pages. If you view an embedded video hosted on an external provider (such as YouTube) or interact with links to social media, third-party cookies are likely to be installed on your device, covered by third party Terms and Conditions and cookie policies. ESA has no influence over these.

Carefully assess the privacy policies and Terms and Conditions regarding your data subject rights, the further processing and the protection of your personal data prior to playing the relevant video or clicking on a link to external providers. ESA seeks to protect your personal data when embedding videos and to make you aware when a link refers you to an external social media or other websites where ESA cannot control the processing of your personal data. If you access such third party tools, non-essential cookies may be used to process your Personal Data. You may decline such cookies and/or configure your browser privacy and security settings to manage cookies.

### **Your rights (Data Subject Rights)**

Under conditions detailed in the ESA PDP Framework, You have:

- the right to be informed about the identity of the data controller, the contact details of the data protection officer, the purpose of the data processing, the data recipients to whom the personal data shall be disclosed, the rights of rectification or erasure of his/her data, the storage time-limits (if any), the practical modalities of exercising the rights, etc. ; this is the purpose of this privacy notice and any other notice referred to herein ;
- the right to access the personal data We process about You,
- the right to have Your personal data erased, rectified, completed;
- the right to lodge a complaint before the Supervisory authority, in accordance with the latter's rules of procedure, in case You demonstrate or have serious reasons to believe that a data protection incident occurred in relation with Your personal data, following a decision of the Agency.

Note however that We may not erase Your personal data in case the processing is based on the performance of a legal obligation of ESA or where such data is necessary for the establishment, exercise, or defence of legal claims. Regarding rights, requests explicitly specifying your query may be sent to the ESA DPO via e-mail at [dpo@esa.int](mailto:dpo@esa.int) or addressed to the: ESA Headquarters; Data Protection Officer; 8-10 RUE MARIO NIKIS; CS 45741; 75738 PARIS CEDEX 15; FRANCE, via postal service.

When the processing of Your personal data is based on Your consent and unless a specific case (e.g. disclosures, etc.) applies, You have also the right to withdraw Your consent.

You may wish to exercise any of the above-mentioned rights, by sending a request explicitly specifying Your query to the ESA DPO via e-mail at [dpo@esa.int](mailto:dpo@esa.int)  
You may be asked additional information to confirm your identity and/or to assist ESA to locate the data You are seeking.

Please note that withdrawing the consent does not affect the lawfulness of any processing based on the consent given before this consent is withdrawn.

In cases where a participants' request to the ESA relates to the processing of personal data by a separate Controller, it will be forwarded to the separate Controller and vice versa.

**Unsubscribe:** If you wish to unsubscribe you can do so by emailing the helpdesk [helpdesk.swe@esa.int](mailto:helpdesk.swe@esa.int)

### **Personal Data Breach:**



If you have any concerns about your personal data or became the victim of a data breach of ESA processed personal data, you should contact ESA's DPO, as first point of contact, by sending an email to: [dpo@esa.int](mailto:dpo@esa.int) and provide all information available to you regarding the potential breach.

**Your Consent**

The processing of personal data is described in this privacy notice. Where consent is required, You may provide your consent by accepting this privacy notice (selecting the 'I accept' checkbox) prior to submitting the registration form or by requesting the associated service: contacting the helpdesk, signing up for a training/webinar. By accepting, you consent to:

I agree that ESA and/or the parties on behalf of ESA, will collect, use or process my personal data

- For the purpose of

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- providing me access to, and enabling the use of the ESA SWE Portal and associated services

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- sending me relevant notifications in connection with SWE Service updates and improvement

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- sending me newsletters and information about new features in relation to the above

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- inviting me to participate in user surveys, relevant webinars and training courses

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- responding to queries raised by me via the service helpdesk and/or online helpdesk contact form

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*How and when can you withdraw your consent?*

You can withdraw your consent at any time by sending an email to the SWE Helpdesk [helpdesk.swe@esa.int](mailto:helpdesk.swe@esa.int)