

## **PRIVACY STATEMENT**

### **MICROSOFT 365 – GUEST USERS**

#### **1. Context and Controller**

This data protection notice explains how Clean Aviation JU (hereinafter referred to as CAJU) processes your personal data in the framework of your use of Microsoft 365 (hereafter referred to as **M365**) (including the identity of the controller, the purposes of the processing, how personal data is protected, and who has access to your personal data), and the way CAJU protects your privacy. Furthermore, it describes the rights you have as a data subject and how you can exercise these rights, including the contact details of the Data Protection Officer.

CAJU protects the fundamental rights and freedoms of natural persons and in particular their right to privacy with respect to the processing of personal data. CAJU processes your personal data in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (the **Regulation**).

The controller of the processing of personal data in the framework of the M365 is CAJU, legally represented by Axel Krein.

In order to provide the services of M365, CAJU makes use of certain processors that process personal data for and on its behalf. In particular, CAJU relies upon the services of Microsoft Ireland as Cloud Service Provider (CSP) and RealDolmen as Licensing Solutions Provider (LSP).

Pursuant to Article 15 of the Regulation, we provide the following information regarding the processing of your personal data in the context of M365.

#### **2. What personal information do we collect, for what purpose, through which technical means and under which legal bases?**

##### **Types of personal data**

The operation of M365 inevitably involves the processing of personal data. Three groups of personal data can be distinguished:

1. **Identification Data** contains personal data necessary for the proper identification of the user and the corresponding user account, including exhaustively:

- (i) email address and, in certain cases, account status; and
- (ii) user personal data (last name, first name).

This information is copied to all M365 data centres around the globe used to provide the service that allows global access and access control to CAJU's environment in M365. Note that identification data is visible to everyone having access to M365.

2. **Service-Generated Data** contains information related to the guest's usage of online services, most notably the user IP address, creation time, site URL and user email address. This data is generated by events that are related to user activity in M365. Event data will allow for the monitoring of all activity in the cloud environment of each user.

Examples: IP address, logs (creation of document, renaming of document, copying of document, modification of document, etc.), etc.

3. **Content Data** includes any content uploaded to M365 by users, such as documents, and multimedia (e.g. video recordings). Such data is stored in M365 but not otherwise processed by the service.

Examples: emails, databases, uploaded batches of data, images (still/moving), sound recordings, documents, chat conversations, channel messages, spreadsheets, presentations, etc.

There might be personal data processed within CAJU, in particular personal data contained within the Content Data of individual users or groups of users, in addition to the personal data processed by M365 that are covered by this privacy statement. This refers for example to documents or messages exchanged between members of a specific group or team. The decision regarding what data may be processed using M365 remains fully with the respective operational controller or user. Existing policies or instructions concerning this data may exist and need to be taken into account. Relevant documents might for instance be instructions on how to process HR-related data, medical data etc.

CAJU does not take any responsibility for the inappropriate use of M365. Please refer to the relevant record and privacy statement of the particular processing activity for further information.

CAJU and Microsoft do NOT process special categories of personal data in the context of M365. Nevertheless, users may use M365 as a means for processing special categories of personal data in the context of specific policies.

### **Purpose and Technical means of personal data processing**

In line with the European Commission's [Digital Strategy](#), CAJU is gradually moving towards a fully digital working environment.

As a European body and party to the Inter-institutional Licensing Agreement between the European Commission and Microsoft Corporation, the CAJU has integrated digital processes at the core of European policy implementation to ensure an improved and efficient digital working environment.

To deliver this digital strategy, the CAJU has adopted a series of new tools designed to form a Digital Workplace.

The Digital Workplace is an opportunity for CAJU to become an example of a modern, connected and efficient public-private EU body by providing staff with the best combination of tools, physical framework and working methods, in order to effectively support the achievement of the priorities of its organisation.

The Digital Workplace responds to the need for connected office, integrating teleworking tools for activities such as conference calls, remote collaboration, audio and/or videoconferencing tools and/or webinars.

Consequently, CAJU uses the services of M365 provided by Microsoft Ireland.

M365 processes the following categories of data, each of which may include personal data:

- Identification Data;
- Service-Generated Data; and
- Content Data.

For more information on the above categories of data, please see the next section.

The operation of M365 requires the processing of Identification Data, Service-Generated Data and Content Data by CAJU for the following purposes:

1. enabling M365 capabilities, including facilitating and coordinating field tasks;
2. end-user support for issues with M365;
3. prevention, detection and resolution of security events (e.g. cyber-attack), to ensure the confidentiality, integrity and availability of M365; and

4. responding to data subjects exercising their rights in relation to personal data processed within M365.

Additionally, Microsoft Ireland as a processor for and on behalf of CAJU processes Identification Data, Service-Generated Data for internal business operations in the context of providing M365. These business operations consist of (exhaustive list):

1. billing and account management;
2. compensation;
3. internal reporting and business modelling;
4. combatting fraud, cybercrime, and cyberattacks;
5. improving core functionality of accessibility, privacy and energy efficiency; and
6. financial reporting and compliance with legal obligations.

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

CAJU reserves the right to consult user activity based on Service-Generated Data to maintain the security and integrity of the CAJU's M365 environment.

### **How do we process your personal data?**

The data collected is processed electronically. Exceptionally, manual processing may take place in the framework of service operations, in particular to investigate security alerts.

The processing is not intended to be used for any automated decision making, nor profiling.

The processing is not intended to be used for marketing or advertising.

### **Legal basis for this processing operation**

CAJU processes personal data on the basis of Article 5 (1)(a) of the Regulation, which states that processing shall be lawful when it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in a Union institution or body.

All personal data connected to the use of M365 are processed based on the necessity for the performance of a task carried out in the public interest by CAJU, including the processing of personal data that are necessary for the management and functioning of CAJU.

More specifically, the objective of all processing activities related to M365 is to support the management and the functioning of CAJU by adjusting the internal mechanisms and management systems to the new technological environment and advancements, and by providing the staff of CAJU with the necessary means and tools to perform their daily tasks.

Moreover, CAJU carries out specific and important tasks in accordance with various regulations, decisions, initiatives, strategies and/or action plans, in particular with regards to Horizon 2020 and Horizon Europe. The functionalities of the M365 support the management and the functioning of CAJU, and enables it to carry out such tasks. It is a necessary means to perform and manage such tasks efficiently.

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

Access to your personal data processed for the operation of M365 is provided to the CAJU staff responsible for carrying out this processing operation and to authorised staff of external contractors on

a ‘need to know’ basis. Such authorised staff abide by statutory, and when required, additional confidentiality agreements. External contractors’ staff act under the supervision of the abovementioned CAJU officials. Such staff may belong to:

1. external bodies: European Court of Auditors, European Court of Justice, and/or the Internal Audit Service of the European Commission may also access relevant personal data for audit control or appeal purposes; and
2. external contractors of CAJU (such as Microsoft Ireland and RealDolmen).

For services related to M365, Microsoft, as Cloud Service Provider (CSP), acts as data processor. Contact details: Microsoft Ireland, South County Business Park, One Microsoft Place, Carmanhall and Leopardstown, Dublin, D18 P521, Ireland.

RealDolmen, as managed services provider, also acts as a data processor. Contact details: RealDolmen, A. Vaucampslaan 42, 1654 Huizingen, Belgium.

CAJU will ensure that staff and contractors having access to personal data are bound by statutory and/or contractual confidentiality obligations.

Exceptionally, personal data might be disclosed to a third party if, and to the extent that, we are required to do so by Union of Member State law.

## **Data Localisation and International Transfers**

All personal data in electronic format are stored either on the shared drive of CAJU or in Microsoft Ireland datacentres in the EU (linked to CAJU’s use of M365). If users access M365 from outside the EU/EEA, personal data may however be transferred to a corresponding location in order to provide the service.

To enable the global service provisioning of M365, Microsoft copies Identification Data to all M365 data centres around the globe used to provide the service. This copied identification data remains under the control of Microsoft and is used to verify the user authentication details and grant access to the CAJU’s M365 resources.

Service-Generated Data is not necessarily processed outside of the EU. Microsoft is authorised to transfer it to Microsoft Corp., located in the USA, and the network of sub-processors. This type of data contains information on the usage of the service. The data is aggregated before being transferred but may contain identifiable information.

In addition to the general policy of Microsoft to secure personal data by means of pseudonymisation and encryption, the risk of disclosure of personal data to third country authorities by Microsoft Ireland and its affiliates is mitigated by customized contractual provisions, which address the way Microsoft responds to access requests and limits risks to the personal data of the user.

Any data in transit is protected by strong encryption.

## **4. How do we protect and safeguard your information?**

### **Technical and Organisational Measures**

CAJU has put in place appropriate technical and organisational measures to prevent or act against any unauthorised and unlawful processing or disclosure, as well as accidental loss, modification or destruction of personal data. These technical and organisational measures are based on the state of the art, the risks of processing, and the need to protect the personal data. Furthermore, these technical and

organisational measures will regularly be adjusted to the technical developments and organisational changes.

CAJU's contractors and processors, including Microsoft Ireland and RealDolmen, are bound by specific contractual clauses for processing operations with regards to personal data on behalf of CAJU and by the confidentiality obligations deriving from the transposition of the General Data Protection Regulation (Regulation 2016/679) in the EU Member States.

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.

Where personal data and information related to M365 is stored on the servers of CAJU, the operation of such servers abides by CAJU's security decisions and provisions established for these servers and services. This includes the Common IT Security Policy, implemented by the CAJU applying the security measures described in the Commission Decision (EU Euratom) 2017/46 of 10 January 2017 concerning the security of communication and information systems in the European Commission, Standards on Information Systems Security, Complementary information systems security policy and control measures as applied to specific applications by respective system owners.

## **5. How long do we keep your data?**

CAJU only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing. In the framework of the operation of M365, CAJU has determined the following retention periods:

1. Identification Data
  - for as long as the user account is active
2. Content Data
  - up to 180 days upon expiration/termination of the subscription
3. Service-Generated Data
  - six months

## **6. What are your rights and how can you exercise them?**

### **Access**

In case you wish to access your personal information, you can contact the CAJU Data Protection Officer at [Data-Protection@clean-aviation.eu](mailto:Data-Protection@clean-aviation.eu)

You may make a request to access the CAJU Register of data processing operations in order to obtain more detailed information on how we treat and protect your personal data, in accordance with Article 17 of Regulation (EU) 2018/1725.

### **Rectification**

You can, if need be, rectify any inaccurate personal data throughout the entire selection process by sending a written request to the above mentioned email address.

### **Erasure**

You may make a request for erasure of your personal data under the conditions laid down by Article 19 of Regulation (EU) 2018/1725. In this case, you should send us a written request to the same email address mentioned under section "Access".

We will respond to your request without undue delay and at the latest within one month.

You could further request cancellation of your application and deletion of all linked personal data by making use of the contact information mentioned above.

### **Restriction of processing**

You may make a request for restricting the processing of your personal data under the conditions laid down by Article 20 of Regulation (EU) 2018/1725 for the following reasons: you would like to contest the accuracy of the personal data; you consider that the processing is unlawful and you would oppose the erasure of the personal data and request the restriction of the use of the personal data instead; when the CAJU as controller no longer needs your personal data for the purposes of processing, but it is required by you as data subject for the establishment, exercise or defence of legal claims; or when you have objected to processing pursuant to Article 23(1) of Regulation (EU) 2018/1725, pending the verification of legitimate grounds.

In this case, you should send us a written request to the same email address mentioned under section “Access”.

### **Right to data portability**

You have the right to receive the personal data which you have provided to us in a structured, commonly used and machine readable format, and you may also request us to transmit this data to any other controller under the conditions of Article 22 of Regulation 2018/1725. In this case, you should send us a written request to the same email address mentioned under section “Access”.

### **Right to object**

You may object at any time to processing of your personal data under the conditions laid down by Article 23 of Regulation (EU) 2018/1725, on grounds relating to your particular situation. In this case, you should send us a written request to the same email address mentioned under section “Access”.

### **Right to withdraw consent**

You have the right to withdraw your consent at any time by sending your request by email to the email address mentioned under section “Access”.

You also 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 you, except for certain situations, such as entering into a contract (as required by Articles 14-16 & 24 of the Regulation).

Information on actions taken following data subject requests to exercise rights shall be provided without undue delay and in any case within one (1) month of receipt of the request. In case of complex or voluminous requests, this period may be extended by another two (2) months, in which case CAJU will inform the data subject.

In case data subjects wish to exercise their rights, they should send an email to the CAJU Data Protection Officer at [data-protection@clean-aviation.eu](mailto:data-protection@clean-aviation.eu).

**NB:** Please note that access to your personal data and its modification or deletion may be restricted by the CAJU Internal Rules restricting data subjects rights<sup>1</sup> as provided for by Article 25 of the Regulation. In that context, these rights may be restricted by the CAJU on a case-by-case basis in line with the Internal Rules, where necessary and appropriate for the purposes.

## **7. Complaints, concerns and recourse**

Should you have any complaint or concern you may contact:

- the Data Protection Officer of CAJU at [data-protection@clean-aviation.eu](mailto:data-protection@clean-aviation.eu)

In addition, 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>

### **Additional information**

More information on CAJU's Data Protection policies can be obtained in the Data Protection Register and in the privacy notices published on the [website](#).

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<sup>1</sup> Adopted on 16 December 2021 by the CAJU Governing Board, as part of the Omnibus Decision CAJU-GB-2021-12-16, by which the Decision of the Governing Board 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 Clean Sky 2 Joint Undertaking CS-GB-Writ proc 2020-02, are directly transferred and shall apply to CAJU.