

PRIVACY STATEMENT

Objective and scope

The purpose of this Privacy Statement is to inform you of how the European Stability Mechanism (ESM, “we”, “us” or “our”) processes your personal data in relation to the public hearing of the Administrative Tribunal of the ESM (ESMAT).

Controller and Data Protection Officer

The ESM is the controller for all the processing operations described in this document. We control the ways your personal data is collected and the purposes for which we process them.

The ESM has a Data Protection Office which can be contacted at the following email address: dataprotectionofficer@esm.europa.eu.

Processing personal data

We always process your personal data for a specific purpose and only process the personal data which is relevant to achieve that purpose. Personal data is processed, as described in this Privacy Statement, for the following purposes:

- (i) Allowing your attendance at a public hearing of the ESMAT and enabling you to access the premises where the hearing takes place, be it the building, a specific room, or both;

For this purpose, the ESM will process your name and surname. If provided by you, the ESM will also process your affiliation (institution or organisation and rank or position). If necessary, the ESM may also process other relevant personal data, such as your nationality, your date of birth, number of your identification document, for instance if the institution or organisation operating or being responsible for the premises requires such data for allowing access those premises.

- (ii) Allowing the ESM to make and retain the audio recording of the hearing.

For this purpose, the ESM will process your voice and all the personal data mentioned in statements made in the course of the recorded proceedings, notably by the ESMAT, the parties and their representatives, and any other persons speaking at the hearing.

Legal ground to process your data

For the performance of tasks or activities carried out by the ESM in accordance with the ESM Treaty, By-Laws, and the applicable rules and procedures (including processing activities necessary for the management and functioning of the ESM).

In this context, the applicable legal basis for the processing of personal data for allowing your attendance at the ESMAT hearing and allowing the ESM to make and retain the audio recording of the hearing is the performance of the ESM’s tasks and the proper management and functioning of the ESM or the ESM legitimate interest. Personal data processed on this basis is proportionate to the ESM’s needs and will not be used for other purposes.

How long we keep your data (retention period)

All personal data processed for the purpose of allowing your attendance at a public hearing of the ESMAT will be kept for two weeks after the hearing or its cancellation.

All personal data processed for the purpose allowing the ESM to make and retain the audio recording of the hearing for twelve (12) months after the final decision of the case in which the hearing took place. Those personal data will be kept longer if justified by the need for good administration of justice.

You can get any further information by contacting us at the following email address: dataprotectionofficer@esm.europa.eu.

In some circumstances we may anonymise your personal data so that it can no longer be associated with you, in which case it is no longer considered as personal data. Upon expiry of the applicable retention period, we will securely destroy your personal data.

Recipients of your personal data

Your personal data may be shared with parties both internal and external to the ESM:

Within the ESM	The recipients of your personal data are normally ESM members of staff and the ESMAT judges, the Registrar and the Deputy Registrar. They may also be interim workers, trainees, or consultants working for the ESM.
Outside of the ESM	Third-party partners with whom the ESM collaborates to organise the ESMAT hearing, including IT service providers, security companies, and the institution or organisation operating or being responsible for the premises where the hearing will take place. Any processing by independent controller(s), as applicable, will be subject to their data processing practices.

The recording may be accessed by ESMAT judges, the Registrar and Deputy Registrar, and strictly limited ESM staff members or service providers supporting the secure technical administration of the recording, where such access is necessary for their assigned functions. Further rules and limits for the access to the recording by others may be determined for the sake of good administration of justice.

Please note that we may use or disclose your personal data if we are required by law to do so or if we reasonably believe that use or disclosure is necessary to protect our rights and/or to comply with judicial or regulatory proceedings, or other legal processes.

Your rights

You have various rights as an individual which you can exercise under certain circumstances in relation to your personal data that we hold. These include the right to access, rectify, request erasure of, or restrict the processing of personal data concerning you.

Please contact us at dataprotectionofficer@esm.europa.eu if you wish to make a request or lodge a complaint.

Security of your Personal Data

The ESM takes all reasonable steps to ensure that appropriate security measures are in place to protect the confidentiality and integrity of your personal data.

Contact information

If you have questions or concerns regarding this Privacy Statement, please do not hesitate to contact us at dataprotectionofficer@esm.europa.eu or send your request to the following address: 6a, Circuit de la Foire Internationale, L-1347 Luxembourg.