

PRIVACY NOTICE

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 (“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.

The 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 Director General of ESA on 5 February 2018 and effective on 1 March 2018.

This notice is intended to inform you, as a Data Subject, about:

- the identity of the Data Controller and contact details of ESA’s 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?

Your Personal Data are collected and further processed as shown below upon the decision taken by ESA. For this reason, ESA is the Data Controller under the ESA PDP Framework.

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

Your first point of contact concerning Personal Data matters is ESA's Data Protection Officer ("DPO"), who may be contacted at:

email: dpo@esa.int

tel: +33 1 53 69 72 69.

(3) What kind of Personal Data about you are collected and further processed?

The Personal Data, which are collected and further processed for the purposes mentioned below, are in particular:

- First name, last name,
- Organisation for which you work
- Country of residence
- E-mail address
- IP (internet protocol) address
- Information about your system activity (see below)
- Information retrieved through browser cookies such as the user's IP address, geolocation, date and time of the visit, URL visited.

You are required not to send to the Agency any sensitive information (including information that indicate, directly or indirectly, the personnel's ethnic origin, political opinions, adhesion to unions, parties etc., health situation, sexual orientation).

(4) How are your Personal Data collected or further processed?

Your Personal Data are collected both manually, when you register for an ESA SSO account, and automatically, when you use the services which you access with your ESA SSO account.

Personal Data are stored on servers located in ESA data centres at Frascati, Italy and operated by GTT Communications, Inc (GTT) and Serco Italia S.p.A. (Serco). In addition, for the implementation of your EO Data Access requests, Personal Data are forwarded and



stored in servers hosted and operated by ServiceNow Nederland BV and might be processed by Highmetric LLC (Highmetric), as well as those hosted and operated by Airbus Defence and Space and Eversis Sp. Z.o.o located in data centres in the United Kingdom and Poland, all under contract with ESA.

(5) Why are your Personal Data collected and further processed?

Your Personal Data are collected and further processed for the following purposes:

- to provide you access to ESA's Earth Observation (EO) data and EO data from Third-Party Missions;
- to manage your relationship with the Agency as well as your requests for EO data;
- to set proper access rights for you to access the requested data;
- to communicate with you if you submit an enquiry;
- to obtain user satisfaction feedback from you;
- if required, to communicate your Personal Data to third party data providers to obtain their agreement to the specific data access request
- to generate statistics about the activity of ESA's EO data users (e.g. log-in behaviour, type and volume of EO data downloaded, most frequently requested data, etc). Please note that the statistics themselves are aggregated and anonymised and do not contain any Personal Data;

In addition to these purposes, the Agency may use your Personal Data 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:

- Serco SpA, acting as Data Processor under contract with ESA for operating the Front End Services, managing the user support and the ESA EO and Third-Party data access services.
- Third-Party data providers, who are the owners of the Third-Party EO data distributed by ESA and need separately to authorise access to their data:
 - Airbus Defence and Space for access to TerraSAR-X, Pleiades and SPOT data (<https://www.airbus.com/privacy-policy.html>)
 - BELSPO for access to PROBA-V data (https://www.belspo.be/belspo/organisation/privacy_en.stm)
 - Deimos Imaging for access to Deimos-1 and Deimos-2 data (<https://www.deimos-imaging.com/privacy-policy/>)



- European Space Imaging, for access to GeoEye, Quickbird, WorldView-1/2/3 data (<https://www.euspaceimaging.com/privacy-policy/>)
- e-GEOS for access to Cosmo-Skymed data (<https://www.e-geos.it/#/privacy>)
- GAF AG for access to Resourcesat-1, Resourcesat-2, Cartosat-1 and IRS-1C/1D data (<https://www.gaf.de/?q=content/privacy-policy>)
- Hisdesat for access to PAZ data (<https://www.hisdesat.es/en/legal#cookies>)
- ICEYE for access to ICEYE data (<https://www.iceye.com/privacy-policy>)
- MacDonald Dettwiler for access to Radarsat-1 and Radarsat-2 data (<https://mdacorporation.com/corporate/privacy-policy/>)
- Planet for access to Rapideye, Planetscope and SkySat data (<https://www.planet.com/privacy/>)
- Spire for access to Spire data (<https://spire.com/privacy-policy/>)
- Remote Sensing Applications Consultants Ltd for access to Proba-1 data
- Surrey Satellite Technology Ltd for access to Proba-1 data (<https://www.sstl.co.uk/privacy-policy>).

ESA draws your attention to the fact that if you make a request for Third-Party data listed above, your Personal Data (e.g. last name, first name, email address, institution, country of residence) may be processed in a country which is not a member state of ESA and/or the European Union and which is not recognised by the European Commission as offering an adequate level of protection under the European Union's legal framework.

The Agency does not consider your Personal Data as an asset for sale and does not sell your Personal Data to any third parties. ESA will not use your Personal Data for any purpose other than providing support for the access to and use of EO data and will not disclose your Personal Data to any other entity than those mentioned above.

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

The Agency may keep your Personal Data for as long as necessary for the fulfilment of the above-mentioned purposes. Your Personal Data shall be deleted thereafter.

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

The Agency is keen to collect and process only accurate Personal Data and to keep it up-to-date.

You may request to the ESA EO Front-End Services Helpdesk (eohelp@esa.int) 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 to in the ESA PDP Framework.



If you choose to make a request for the erasure of Personal Data, you understand and agree that ESA will have to erase your ESA SSO account and you will lose all of your rights for accessing ESA's EO data and services through your ESA SSO account.

You are also able to access your Personal Data and to erase, rectify, complete or amend it yourself. You can do this by accessing your user account profile in My Earthnet.

If you are unable to access your account for any reason, please contact the ESA EO Front-End Services Helpdesk (eohelp@esa.int) for assistance.

(9) *What could you do in the event of a Data Protection Incident?*

In the event of a Data Protection Incident, please contact ESA's DPO, as the first point of contact, by sending an email to dpo@esa.int.

If you wish to submit a complaint, you will need to comply with the Rules of Procedure of the Supervisory Authority set out in 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 an incident occurred.