



## **Memorandum of Understanding for the sharing of reserve lists of suitable candidates among EU Agencies and Joint Undertakings**

For Cooperation among Agencies and Joint Undertakings on sharing reserve lists of suitable candidates resulting from selection procedures, hereinafter referred to as 'reserve lists',

Participating EU Agencies and Joint Undertakings, hereinafter referred to as 'Agencies',

Having regard:

- To the Staff Regulations of Officials (hereinafter the 'Staff Regulations') and Conditions of Employment of other servants of the European Union (hereinafter the 'CEOS'), laid down by Council Regulation (EEC, EURATOM, ECSC) No 259/68<sup>1</sup>, as amended by the Regulation (EU, EURATOM) No 1023/2013 of the European Parliament and of the Council of 22 October 2013<sup>2</sup>, in particular Articles 2(f) and 12, and 3a and 82 of the CEOS,
- To the General Implementing Provisions on the procedure governing the engagement and use of temporary staff under Article 2(f) of the CEOS,
- To the General Implementing Provisions for Article 79(2) of the CEOS – employment of contract staff under the terms of Article 3a thereof,
- To the Common Approach on decentralised Agencies<sup>3</sup> and EUAN key strategic objective to increase the efficiency of Agencies and JUs through sharing of services, best practices and pooling of tasks and capabilities<sup>4</sup>.

Whereas:

- It is in the Agencies' common interest to strengthen their cooperation in the area of selection procedures,
- There is an increased interest and demand from Agencies for establishing a common framework for sharing reserve lists,
- Establishing a common framework for sharing reserve lists contributes to achieving this goal,
- This common framework should allow sharing information about suitable candidates on Agencies' reserve lists while ensuring transparency, equal treatment, confidentiality and data security.

Have reached the following understanding:

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<sup>1</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31968R0259>

<sup>2</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013R1023>

<sup>3</sup> [https://european-union.europa.eu/system/files/2022-06/joint\\_statement\\_on\\_decentralised\\_agencies\\_en.pdf](https://european-union.europa.eu/system/files/2022-06/joint_statement_on_decentralised_agencies_en.pdf)

<sup>4</sup> [Strategy for the EU Agencies network \(2021-2027\)](#)



## **1. INTRODUCTION**

The participating Agencies agree to cooperate in sharing their reserve lists to meet staffing needs more effectively and efficiently, while respecting the principles of transparency, access to information and equal treatment.

This Memorandum of Understanding (hereinafter 'MoU') establishes a common framework for this cooperation. It defines the principles and the procedure for a secure and efficient shared use of reserve lists of suitable candidates resulting from selection procedures run by the participating Agencies.

This framework aims to:

- Facilitate recruitment by leveraging reserve lists established by the Agencies,
- Promote efficiency by reducing the overall timelines of recruitment and selection procedures and associated costs,
- Ensure access for the Agencies to a broader pool of candidates from diverse geographic locations,
- Foster cooperation among the Agencies, maximizing synergies and avoiding duplication of effort for common job profiles,
- Increase the attractiveness of Agencies as employers of choice, potentially increasing the number of candidates applying for posts published by the Agencies,
- Ensure a transparent and unified EU approach when sharing reserve lists.

## **2. PURPOSE**

The purpose of this MoU is to:

- Streamline and unify the process for sharing reserve lists of suitable candidates among the Agencies,
- Guarantee the secure and confidential exchange of reserve lists between the Agencies,
- Ensure transparency of the process and fair and equal opportunities for candidates.

## **3. SCOPE**

This MoU is applicable for using reserve lists of suitable candidates resulting from vacancy notices for temporary staff engaged under Article 2(f) of the CEOS and of contract staff engaged under the terms of Article 3a of the CEOS.

Only reserve lists resulting from vacancy notices fully meeting the provisions set in this MoU can be shared.



#### 4. DEFINITIONS

**Participating Agency:** Any Agency that has signed this MoU and agrees to abide by the terms and conditions set forth therein for the purpose of sharing reserve lists.

**Leading Agency:** From the participating Agencies, the Agency that has organised a specific selection procedure and intends to share the resulting reserve list of suitable candidates.

**Receiving Agency:** From the participating Agencies, the Agency that is interested in using a specific shared reserve list to meet its recruitment needs.

**Shared reserve list:** An established list of suitable candidates that is made available for use by the other participating Agencies, and about which information is published in the designated IT tool.

**IT tool:** The common IT platform hosted by the SSO, which has been developed taking into account the principle of privacy-by-design, that facilitates the exchange of information about shared reserve lists among participating Agencies

**Shared Support Office (SSO):** The SSO represents the institutional memory of the Network of Agencies and serves as a communication and connection hub between the EU institutions and the EUAN members. With respect to the sharing of reserve lists, the SSO keeps the list of participating Agencies up to date, hosts the IT tool, as well as reports using the agreed KPIs on the sharing of reserve lists.

**Personal data<sup>5</sup>:** Any information relating to an identified or identifiable natural person ('data subject').

#### 5. COMMON PRINCIPLES

Common principles for sharing reserve lists under the MoU are:

**Clarity:** A clear commonly agreed procedure for sharing and using shared reserve lists is established for all participating Agencies.

**Data security, privacy and confidentiality:** Safeguards are embedded by all participating Agencies in their selection procedures to protect candidates' personal data, in accordance with Regulation (EU) 2018/1725. Participating Agencies commit to ensure the same level of confidentiality of personal data when sharing reserve lists.

**Reciprocity:** All participating Agencies will share lists of suitable candidates according to this framework and benefit from access to shared reserve lists. Participating Agencies will further support each other, e.g. by receiving Agencies participating in selection boards upon request by the leading Agency.

#### 6. COMMON PROCEDURE FOR SHARING RESERVE LISTS

The participating Agencies decide which of their selection procedures fall under the scope of this MoU and for which they will operate as leading Agency.

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<sup>5</sup> According to Regulation (EU) 2018/1725 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and the free movement of such data (OJ L 295, 21.11.2018, p. 39–98).



For the selection procedures falling under the scope of this MoU, the participating Agencies agree to the following common procedure:

### **6.1. Including relevant Vacancy notice's provisions**

The leading Agencies shall include in their vacancy notice all the following provisions/information to candidates:

- the nature of the selection, i.e. a selection procedure to fill one or more similar positions and constitute a reserve list of suitable candidates.
- the list of participating Agencies at the time of publication of the vacancy notice.
- that the reserve list resulting from the selection may be used *'by other Agency/Agencies only if needed in the future'*.
- if included in the reserve list, and upon consent, that candidates' personal data may be shared with the receiving Agencies that are interested to use the reserve list for further recruitment purposes.

The information that the leading Agency shall include in the vacancy notice regarding personal data is available in Annex I.

Only those participating Agencies that are listed in a vacancy notice can use the relevant reserve list to meet their recruitment needs under this MoU. If an agency signs the MoU after the publication of the vacancy notice, it will not be able to use the resulting reserve list. Being listed in a vacancy notice does not imply that a participating Agency will make use of the shared reserve list.

The list of participating Agencies, i.e. the Agencies who have signed this MoU, is maintained up to date by the SSO and is available at any time in the common IT tool for sharing reserve lists.

### **6.2. Meeting the leading Agency's staff needs**

Before making a reserve list available to other Agencies, the leading Agency has the prerogative to fulfil its own staffing needs first, ensuring that vacant post(s) in the leading Agency are filled first with successful candidate(s) from its own reserve list.

Once shared, the entire reserve lists shall be made available to participating Agencies (with the exception of candidates who have already been recruited by the leading Agency), i.e. the leading Agency cannot 'reserve' candidates for their future use.

### **6.3. Sharing information about the established reserve lists**

The leading Agency shares general information related to the reserve list with all participating Agencies exclusively through a designated IT tool.

This general information includes:

- the vacancy notice;
- the total number of suitable candidates on the reserve list;
- the validity period of the reserve list (see Article 8 of the MoU);
- the leading Agency's contact point (name and email address).

No personal data of candidates in the reserve lists is disclosed in the IT tool.



#### **6.4. Expressing interest in a reserve list**

Participating Agencies express their interest in a specific reserve list by sending an email to the leading Agency's contact point.

Only participating Agencies explicitly listed in the relevant vacancy notice may express interest to use a shared reserve list.

#### **6.5. Seeking consent from suitable candidates**

Before sharing the personal data of the suitable candidates on the reserve list with the receiving Agency, the leading Agency shall, each time the list is to be shared, seek the consent of the candidates, while providing information to them on the interested receiving Agency. (See Annex II for the Data Protection Notice to be shared with candidates when seeking their consent)

Only the personal data of those suitable candidates who have given their explicit consent shall be shared with the receiving Agency.

In case several receiving Agencies request access to a reserve list, candidates will decide with which Agencies their personal data shall be shared.

#### **6.6. Sharing information with the receiving Agency**

The leading Agency shall use a secure solution of its choice, complying with the data protection principles, to share the personal data of the candidates on the reserve list who have given their consent (see step above).

The personal data to be shared is limited to:

- the contact details of the candidate;
- the application form and/or CV, as available.

#### **6.7. Use of the reserve list by the receiving Agency**

The use of a reserve list by the receiving Agency shall only be for positions of a similar nature and profile as the one described in the vacancy notice.

The receiving Agency shall share with interested candidates information about:

- the vacant position and role;
- its own selection procedures/recruitment guidelines;
- personal data protection in selection/recruitment procedures.

The receiving Agency shall proceed with the selection of interested candidates from the shared reserve list, based on the needs of the service, and adhering to its own selection/recruitment procedures/practices.

The type of post and grade to be offered by the receiving Agency to the successful candidate shall be that of the vacancy notice.

#### **6.8. Informing the leading Agency**

Should a receiving Agency select a suitable candidate from the reserve list, it will inform the leading Agency as soon as the candidate accepts the job offer, by sending an email to the dedicated contact person in the leading Agency. The leading Agency will remove the candidate from the reserve list and inform the participating Agencies by updating the relevant information in the IT tool.



If the job offer is withdrawn or if the candidate finally decides not to accept the job offer, the receiving Agency will immediately inform the leading Agency so that the candidate is placed back on the reserve list. The leading Agency will inform the participating Agencies subsequently, by updating the relevant information in the IT tool.

Upon recruitment by the receiving Agency, the leading Agency is informed, and the latter definitely removes the candidate from the reserve list.

### **6.9 Update of the reserve list and relevant information in the IT tool**

The receiving Agency shall inform the leading Agency as soon as a job offer is accepted, of any withdrawal of a job offer and job acceptance.

The leading Agency is responsible for:

- keeping the general information (i.e. number of candidates on the shared reserve list) up to date in the IT tool at all times, and until the end of the validity period of the reserve list;
- informing candidates when they are removed from the reserve list, following their acceptance of a job offer in a receiving Agency;
- informing any receiving Agency having started using a reserve list when candidates are removed from the list following their acceptance of a job offer in another receiving Agency.

### **6.10. Closure or cancellation of a reserve list**

A leading Agency has the prerogative to withdraw a shared reserve list from the IT tool at any point. No justification is needed.

The leading Agency will immediately inform all other participating Agencies in case a reserve list is to be closed or cancelled, for imperative reasons, before the period of validity expires (see Article 8) by updating the information available in the IT tool. No justification is needed.

However, if a receiving Agency has already expressed interest in the reserve list or has started the selection process for using the reserve list, for reasons of transparency and legal certainty, the leading Agency shall inform the receiving Agency of the reasons for the closure, cancellation or withdrawal of the reserve list. Having all relevant information at its disposal, the receiving Agency has the prerogative to decide whether or not to complete its selection and recruitment process. In consultation with the leading Agency, the receiving Agency may also use this information to comply with its obligation to provide reasons and to motivate a decision towards the candidate(s) who already entered recruitment process.

## **7. TRANSPARENCY AND COMMUNICATION**

### **Among participating Agencies**

General information regarding the shared reserve list (job title, number of suitable candidates, etc.) will be communicated to participating Agencies using the designated IT tool.

Leading Agencies should ensure that information in the IT tool is kept up to date at all times. This includes providing in the IT tool the data necessary to monitor the performance of the shared service (per reserve list: number of receiving Agencies; total successful offers from reserve list).



When sharing a reserve list, the leading Agency must promptly notify receiving Agencies of any changes to established reserve lists (removal of a candidate following a job offer or recruitment; withdrawal of a candidate on their own initiative from the reserve list).

### **Towards applicants**

Each participating Agency shall ensure transparency by updating their internal rules and Data Protection Notices on selection/recruitment, as well as their guidelines to applicants and any other publicly available information on selection procedures to include information to applicants about the potential use of shared reserve lists according to the terms of this MoU, i.e.:

- The participating Agency may use shared reserve lists from other participating Agencies or Joint undertakings of the EUAN to fill vacant positions;
- The relevant vacancy notices are published by participating Agencies and Joint Undertakings in the EUAN job portal, job opportunities section (incl. the relevant link to the portal);
- Invite applicants to check regularly the EUAN job portal for job opportunities in the Agencies and Joint Undertakings that signed the present MoU.

In addition, the leading Agency shall ensure publication of all vacancy notices falling under the scope of this MoU in the EUAN website, job opportunities section.

## **8. VALIDITY OF SHARED RESERVE LISTS**

To maximise the availability of shared reserve lists, participating Agencies shall foresee a minimum validity period of two years for their reserve lists after the reserve list has been established.

Each leading Agency is responsible for extending (or not) the period of validity of its own reserve lists. This involves adhering to their own internal procedures for updating the reserve list of suitable candidates as relevant and necessary. This also includes removing candidates who have accepted a job offer or have been recruited by another participating Agency following the use of the shared reserve list.

## **9. DATA SHARING AND DATA PROTECTION**

Each participating Agency will ensure secured storage and sharing of personal data.

Following explicit consent from candidates in the shared reserve list, the leading Agency will only share with the receiving Agency the following candidate's data (see also Annex I):

- contact details;
- application form and/or CV, as available.

Such data shall be processed solely for the purpose of the implementation of the present MoU by authorised personnel from the participating Agencies (acting as leading and/or receiving Agency).



Annex I contains relevant provisions for this specific processing of personal data, such as the description and purpose of the processing, the categories of personal data and data subjects, the obligations and rights of the parties to the present MoU.

Annex II provides a specific Data Protection Notice to be used when seeking the consent of a candidate for sharing their personal data with receiving Agencies.

All clauses on data protection included in this MoU are applicable to all participating Agencies. Participating agencies shall update their relevant records of processing operations according to the terms of this MoU.

## **10. SUPPORT TO THE IMPLEMENTATION OF THE MoU BY THE SSO**

The SSO is responsible for:

- Assisting and advising to support the proper implementation of this MoU by all participating Agencies;
- Hosting the IT tool on the EUAN MS Teams space and assisting with the use of the IT tool by participating Agencies;
- Keeping up to date the list of participating agencies in the IT tool;
- Contacting the participating Agencies on a quarterly basis to remind them that the information in the IT tool shall be kept up to date;
- Reporting on the implementation of the shared service using KPI commonly agreed by Agencies.

In performing its role, the SSO shall not have access to or process any personal data.

## **11. INTERNAL RULES AND PROCEDURES FOR SELECTION AND RECRUITMENT**

This MoU acknowledges that each Agency is subject to its own internal rules governing recruitment/selection procedures.

Participating Agencies shall, however, update their internal rules on selection procedures and relevant guidelines to candidates to ensure transparency and equal treatment when publishing vacancies for establishing shared reserve lists and when using shared reserve lists from other Agencies for recruitment purposes.

## **12. CONFIDENTIALITY**

The Agencies shall treat with strict confidentiality any information, documents and data provided and shared within the framework of this MoU and identified as confidential, unless their disclosure is required under EU law or national law of a Member State.

Participating Agencies undertake not to disclose any information to third parties without the prior consent of the leading Agency and to use the information solely for fulfilling the purpose of the present MoU. In particular, the receiving Agency undertakes not to disclose any information, documents and data provided by the leading Agency in relation to the candidates on the shared reserve list. The receiving Agency shall ensure the protection of such data at the same level as their own confidential information, and in any event not less than with reasonable care.



The confidentiality obligations set out in this Article are binding to all participating Agencies for as long as the information or documents retain a confidential character, unless the applicable law requires disclosure of confidential information or documents.

Participating Agencies will adhere to the confidentiality and data protection provisions outlined in Annex I.

### **13. TERM, AMENDMENTS AND TERMINATION**

This MoU shall become effective upon signature by each participating Agency.

Any of the participating Agencies may withdraw from this MoU at any time upon giving thirty (30) days written notice to all other participating Agencies to this MoU.

The withdrawal takes effect after 30 calendar days, or after the receiving agency completes any ongoing selection and recruitment process using a shared reserve list, whichever is later.

This MoU, including Annex I and Annex II which form an integral part of the MoU, may be amended at any time by written agreement with the consent of all the Agencies that have signed it.

### **14. TRANSITIONAL PERIOD**

This MoU does not foresee any transitional period.

Vacancy notices, and resulting reserve lists, issued prior to the entry into force of the MoU do not fall under its scope.

### **15. ENTIRE AGREEMENT**

This MoU including its annexes constitutes the entire agreement between the participating Agencies with respect to the subject matter.



I hereby declare that internal guideline(s) to applicants, data protection notice(s) and other publicly available information on selection/recruitment procedures have been updated in line with the provisions of this MoU.

Agency Name: Smart Network and Services Joint Undertaking

Signature:

Erzsébet FITORI  
Executive Director

Name and Title; Date:

**ANNEX I**  
**JOINT CONTROLLERSHIP AGREEMENT**

The participating Agencies,

Having regard to the Staff Regulations of Officials (hereinafter the 'Staff Regulations') and Conditions of Employment of other servants of the European Union (hereinafter the 'CEOS'), laid down by Council Regulation (EEC, EURATOM, ECSB) No 259/68 , as amended by the Regulation (EU, EURATOM) No 1023/2013 of the European Parliament and of the Council of 22 October, in particular Articles 2(f) and 12, and 3a and 82 of the CEOS;

Having regard to 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 (hereafter referred to as ' Regulation (EU) 2018/1725' or 'EUDPR');

Whereas:

- Article 28 of Regulation (EU) 2018/1725 establishes that where two or more controllers jointly determine the purposes and means of processing, they shall be joint controllers. By means of an Agreement between them, they shall in a transparent manner determine their respective responsibilities for compliance with their data protection obligations, in particular as regards the exercising of the rights of the data subject and their respective duties to provide the information referred to in Articles 15 and 16 of Regulation (EU) 2018/1725;

**HAVE AGREED AS FOLLOWS:**

**Article 1 - SCOPE OF THIS AGREEMENT**

The participating Agencies act as joint controllers in relation to the Memorandum of Understanding ('MoU') for the sharing of reserve lists of suitable candidates among EU Agencies and Joint Undertakings and are hereafter collectively referred to as the 'Joint Controllers'/'participating Agencies'.

This Joint Controllership Agreement (hereafter 'Agreement') sets out the allocation of respective roles, responsibilities and practical arrangements between the participating Agencies acting as Joint Controllers pursuant to Article 28 of Regulation (EU) 2018/1725. For the purpose of this, the definitions set out in Article 3 of Regulation (EU) 2018/1725 shall apply.

**Article 2 - SUBJECT MATTER, DESCRIPTION OF THE PROCESSING AND CATEGORIES OF PERSONAL DATA**

The *subject matter* is the sharing of reserve lists of suitable candidates among participating Agencies as described in the MoU.

The *purpose of the processing* is to enable the participating Agencies meet their recruitment needs by making use of the reserve lists established from selection procedures of other participating Agencies.

The *categories of personal data* processed are:

1. Regarding the contact person in the leading Agency in the IT tool: name, surname, office phone number and office email address.
2. Regarding the candidates who submitted their applications to the leading Agency for temporary agent (2f CEOS) or contract agent (3a CEOS) positions in the context of a specific vacancy notice, who have been considered suitable candidates and placed on a reserve list by the leading Agency and who have provided their consent to sharing their personal data with the receiving Agency:
  - Contact details (name, first name, address, email address, telephone);
  - Application form containing all information provided by the candidate regarding eligibility and selection criteria applicable to the selection procedure; and/or
  - Curriculum vitae, if available.

### **Article 3 - SCOPE OF THE JOINT CONTROLLERSHIP**

#### **Processing activities that fall within the scope of the joint controllership**

##### **Processing activity 1: Inclusion of information on personal data sharing in vacancy notices**

Participating Agencies, upon joining this MoU, agree to provide candidates specific information regarding the processing of personal data when sharing reserve lists among participating Agencies. Accordingly, the following statement shall be inserted in relevant vacancy notices:

*"If you are included in the reserve list of suitable candidates for this selection procedure, your personal data may be shared - subject to your explicit consent - with other EU Agencies or Joint Undertakings (listed in footnote) seeking to fill similar positions. This will allow you to be considered for additional job opportunities across multiple EU Agencies and Joint Undertakings, only if needed in the future. Your explicit consent will be sought each time another EU Agency or Joint Undertaking requests access to the reserve list of suitable candidates."*

In addition, participating Agencies agree that the leading Agency for the selection procedure will make the Data Protection Notice attached as Annex II to the MoU available to candidates when requesting their consent to share their application with a receiving Agency.

This processing activity does not involve processing of personal data.

##### **Processing activity 2: Expression of interest in the reserve list by participating Agencies**

Participating Agencies express their interest in a specific reserve list to the leading Agency by sending an email to the leading Agency's contact point, whose email address is available in the IT tool.

##### **Processing activity 3: Transmission of candidates' information to the receiving Agency**

The leading Agency shall use a secure solution of its choice, complying with the data protection principles, to share the personal data of the candidates on the reserve list who have given their consent.

The personal data to be shared is strictly limited to:

- the contact details of the candidate;
- the application form and/or CV, as available.

##### **Processing activity 4: Notification to the leading Agency upon candidate's acceptance of a job offer**

Should a receiving Agency select a suitable candidate from the reserve list, it will inform the leading Agency as soon as the candidate accepts the job offer, by sending an email to the dedicated contact person in the leading Agency.

If the job offer is withdrawn or if the candidate finally decides not to accept the job offer, the receiving Agency will immediately inform the leading Agency so that the candidate is placed back on the reserve list.

Upon recruitment by the receiving Agency, the candidate is definitely removed from the reserve list by the leading Agency.

#### **Processing activity 5: Updating the reserve list**

When a candidate from shared reserve list accepts a job offer, the leading Agency will remove the candidate from its reserve list to avoid duplicate offers.

Should the job offer be withdrawn before recruitment, the candidate shall be placed back on the reserve list by the leading Agency.

The receiving Agency shall inform the leading Agency as soon as a job offer is accepted, and of any withdrawal of a job offer or job acceptance.

#### **Processing activity 6: Closure or cancellation of a reserve list**

The leading Agency will immediately inform all participating Agencies in case a reserve list is to be closed or cancelled for imperative reasons before the period of validity expires by updating the information available in the IT tool. No justification is needed.

The leading Agency has the prerogative to withdraw a shared reserve list from the IT tool at any point. No justification is needed.

If a receiving Agency has already expressed interest in a reserve list or has started the selection process for using the reserve list, for reasons of transparency and legal certainty, the leading Agency shall inform the receiving Agency of the reasons for the closure, cancellation or withdrawal of the reserve list. Having all relevant information at its disposal, the receiving Agency has the prerogative to decide whether or not to complete its selection and recruitment process.

#### **Processing activity 7: Ensure transparent communication regarding any change to the reserve list**

When sharing a reserve list, the leading Agency must promptly update receiving Agency(ies) on any modifications to the reserve lists, including:

- The removal of candidates following a job offer or recruitment.
- The withdrawal of candidates from the reserve list.

The leading Agency is responsible for:

- keeping the general information (i.e. number of candidates on the shared reserve list) up to date in the IT tool at all times, and until the end of the validity period of the reserve list;
- informing candidates when they are removed from the reserve list following their acceptance of a job offer in a receiving Agency;
- informing any receiving Agency having started using a reserve list when candidates are removed from the list following their acceptance of a job offer in another receiving Agency.

#### **Processing activity 8: Ensure effective follow up to any data subjects' requests**

Participating Agencies shall respond promptly and effectively to any data subject requests concerning the processing and sharing of their personal data under this MoU. Each

participating Agency shall ensure compliance with the EUDPR, particularly regarding the exercise of the rights granted to data subjects, including access, rectification, erasure, restriction, and objection to processing, and shall inform accordingly other participating Agencies concerned by a data subject request that may affect their own processing operations.

To facilitate a consistent and transparent approach, participating Agencies shall:

- Maintain clear and accessible communication channels for data subject requests;
- Provide timely responses to requests, adhering to regulatory deadlines and internal procedures;
- Ensure coordinated action when multiple Agencies are involved in handling data subjects' request;
- Document and track all requests to demonstrate compliance and accountability.

#### Processing activity 9: Handling personal data breaches

Participating Agencies shall ensure a structured and prompt response to any personal data breach related to shared reserve lists. In accordance with the EUDPR, participating Agencies are required to take immediate action to mitigate risks and protect affected individuals.

To maintain compliance and safeguard data subjects' rights, participating Agencies shall:

- Detect and assess breaches: identify the scope, nature, and potential impact of the incident;
- Notify relevant authorities, where applicable: reporting of breaches likely to result in a risk to the rights and freedoms of data subjects to the EDPS shall be coordinated by the leading Agency;
- Inform affected individuals, where applicable: if a breach is likely to result in a high risk to the rights and freedoms of data subjects, the leading Agency must notify receiving Agencies, detailing any recommended actions;
- Implement corrective measures: strengthen security protocols to prevent recurrence, including updates to policies, technical safeguards, and personnel training;
- Coordinate internally and externally: ensure transparent communication between participating Agencies. The leading Agency shall oversee the data breach management procedure concerning reserve lists and ensure coordinated action among leading and receiving Agencies.

#### Processing activities that fall out of scope of the joint controllership

The following processing activities are linked to, follow from, or complement the joint processing operation, but fall under the responsibility of the **leading Agency** as a **sole controller**:

#### Processing activity 1: Publication of vacancy notice, establishment of a reserve list and inclusion of an updated list of participating Agencies in vacancy notices

The leading Agency is responsible for ensuring transparency in the selection process and must provide clear information to candidates regarding the processing of their personal data. Information on the possibility to share the reserve list with participating Agencies shall be provided in the vacancy notice which will include an up-to-date list of participating Agencies.

#### Processing activity 2: Initial use of the reserve list

The leading Agency determines which of its selection procedures and resulting reserve lists will be shared with the participating Agencies. Before making a reserve list available to the participating Agencies, the leading Agency retains the right to fulfil its own staffing needs, ensuring that vacant posts in the leading Agency are addressed first using candidates from its

own reserve list.

### **Processing activity 3: Sharing aggregated information about the established reserve list with Participating Agencies**

The leading Agency shares general information related to the reserve list with all participating Agencies exclusively through the designated IT tool.

This general information is aggregated data and includes:

- the vacancy notice;
- the total number of suitable candidates on the reserve list;
- the validity period of the reserve list (see art.8 of the MoU);
- the leading Agency's contact point.

No personal data of candidates in the reserve list is disclosed in the IT tool.

### **Processing activity 4: Obtaining consent from suitable candidates for data sharing**

Before sharing the personal data of the suitable candidates on the reserve list with any receiving Agency, the leading Agency shall, each time the list is to be shared, seek the explicit consent of the candidates, while providing them with information on the interested receiving Agency. (See Annex II for the Data Protection Notice to be shared with candidates when seeking their consent)

The leading Agency contacts candidates individually, informing them of the request and seeking **explicit consent** before sharing their name, contact details, CV or full application form (as applicable) with the requesting participating Agency.

The leading Agency must ensure that candidates retain the right to accept or decline each request individually. Candidates will have the full discretion to choose which Agency(ies) they authorise to receive their data.

#### Information to be shared with candidates when seeking their consent

- Reference to the reserve list  
'You are on the list of suitable candidates of the position of XXXXX – ref: XXXX'.
- The context of sharing their personal data  
'As mentioned in the vacancy notice XXXX, other EU Agencies and Joint Undertakings may use the reserve list of suitable candidates established as a result of the selection process, under the condition that candidates on the reserve list consent to sharing their personal information.'
- Information on the receiving Agency, its name and where it is based  
'The (receiving Agency), based in XXX, has expressed its interest in using the reserve list in which you are included.'
- Seeking consent and information on the processing of personal data  
'In order to share your personal information with (receiving Agency xxx), we require **your explicit consent** in line with Article 5(1)-point (d) of the Regulation (EU) 2018/1725.

*Upon your explicit consent, we will share:*

- Your contact and identification details (Name, First Name, Permanent Address, Email address, telephone);
- The application form containing all information you provided regarding eligibility and selection criteria applicable to the selection procedure;
- Your curriculum vitae, as applicable.

*Following transmission of your personal data to (receiving Agency), any further processing of such data shall be undertaken by it acting as data controller.'*

- Link to the Data Protection Notice (see Annex II to the MoU)

The above processing activities fall outside the scope of the Joint Controllership Agreement. It is the responsibility of the leading Agency to ensure compliance with the obligations and conditions of Regulation (EU) 2018/1725 regarding these activities.

The following processing activities are linked to, follow from, or complement the joint processing operation, but fall under the responsibility of each **receiving Agency(ies)** for which the latter is (are) **sole controller(s)**:

**Processing activity 1: Use of the reserve list by the receiving Agency**

The use of a reserve list by the receiving Agency shall only be for positions of a similar nature and profile as the one described in the vacancy notice.

The receiving Agency shall share with the candidates who have confirmed their interest, information about:

- the vacant position and role;
- its own selection procedures/recruitment guidelines;
- Data Protection Notice in its own selection/recruitment procedures.

The receiving Agency shall proceed with the selection of interested candidates from the shared reserve list, based on the needs of the service, and adhering to their own selection procedures/recruitment guidelines.

The type of post and grade to be offered by the receiving Agency to the successful candidate shall be that of the vacancy notice.

The above processing activity fall outside the scope the Joint Controllership Agreement. It is the responsibility of the receiving Agency(ies) to ensure compliance with the obligations and conditions of Regulation (EU) 2018/1725 regarding these activities.

**Article 4 - RESPONSIBILITIES, ROLES AND RELATIONSHIP OF THE JOINT CONTROLLERS TOWARDS DATA SUBJECTS**

**4.1 Provision of information to data subject**

Participating Agencies shall ensure transparency towards candidates by updating internal rules on recruitment and guidelines to candidates and any other publicly available information on selection procedures to inform candidates of the potential use of shared reserve lists according to the terms of this MoU.

The leading Agency shall ensure publication of the vacancy notices falling under the scope of this MoU in the EUAN website, job opportunities section. Participating Agencies shall invite candidates to check regularly the EUAN website for vacancy notices from which they may use the reserve lists, noting that the relevant notices are available in the EUAN's job opportunities section. This information, as well as a permanent link to the EUAN website's job opportunities section, shall be readily available in the guidelines to candidates and any other publicly available information on selection procedures.

**4.2 Handling of data subjects' requests**

The data subjects may exercise their rights under Regulation (EU) 2018/1725 in respect of and vis-a-vis each of the participating Agencies.

The participating Agencies shall handle the requests of data subjects in accordance with the procedure that they have established for this purpose.

The participating Agencies shall cooperate and, when so requested, provide each other with swift and efficient assistance in handling any data subject requests.

Should one participating Agency receive a data subject request, which does not fall under its responsibility, that participating Agency shall forward the request promptly and at the latest within three working days of its receipt to the participating Agency responsible for that request. The participating Agency responsible shall send an acknowledgment of receipt to the data subject within further three working days, while at the same time informing thereof the participating Agency that received the request in the first place.

Any data subject request shall be replied without undue delay and at the latest within one month. That period may be extended pursuant to Article 14(3) of Regulation (EU) 2018/1725. Should more time be required to handle the request for justified reasons, the data subject shall receive a holding reply from the participating Agency in charge of handling the request.

In response to a data subject request for access to personal data, no participating Agency shall disclose or otherwise make available any personal data processed jointly without first consulting the other concerned participating Agencies.

## **Article 5 - OTHER RESPONSIBILITIES AND ROLES OF JOINT CONTROLLERS**

### **5.1 Security of processing**

Each participating Agency shall implement appropriate technical and organisational measures to:

- i. Ensure and protect the security, integrity and confidentiality of the personal data jointly processed, in line with the relevant legal acts of the participating Agencies on the security of communication and information systems and relevant legal acts applicable to EU institutions, agencies and bodies;
- ii. Protect against any unauthorised or unlawful processing, loss, use, disclosure or acquisition of or access to any personal data in its possession;
- iii. Not disclose or allow access to the personal data to anyone other than the beforehand agreed recipients or processors.

Each participating Agency shall implement appropriate technical and organisational measures to ensure the security of processing pursuant to Article 33 of Regulation (EU) 2018/1725. The participating Agencies shall provide a swift and efficient assistance to each other in case of security incidents, including personal data breaches.

### **5.2 Management of security incidents, including personal data breaches**

The participating Agencies shall handle security incidents, including personal data breaches, in accordance with their internal procedures and applicable legislation.

The participating Agencies shall in particular provide each other with swift and efficient assistance to facilitate the identification and handling of any security incidents, including personal data breaches, linked to the joint processing operations.

The participating Agencies shall notify each other of the following:

- a) any potential or actual risks to the availability, confidentiality and/or integrity of the personal data undergoing joint processing;
- b) any security incidents that are linked to the joint processing operation;
- c) any personal data breach (i.e. any breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data undergoing joint processing), the likely consequences of the personal

data breach, the assessment of the risk to the rights and freedoms of natural persons, and any measures taken to address the personal data breach and mitigate the risk to the rights and freedoms of natural persons;

- d) any breach of the technical and/or organisational safeguards of the joint processing operation.

Each participating Agency is responsible for all security incidents, including personal data breaches, that result from an infringement from its obligations under this Agreement and Regulation (EU) 2018/1725.

The participating Agencies shall document the security incidents (including personal data breaches) and notify each other without undue delay and at the latest within 48 hours after becoming aware of a security incident (including a personal data breach).

The participating Agency responsible for a personal data breach shall document that personal data breach and notify it to the European Data Protection Supervisor, where necessary. It shall do so without undue delay and, where feasible, not later than 72 hours after having become aware of the personal data breach, unless the personal data breach is unlikely to result in a risk to the rights and freedoms of natural persons. The participating Agency responsible shall inform the other concerned participating Agencies of such notification.

The participating Agency responsible for the personal data breach shall communicate that personal data breach to the data subjects concerned if the personal data breach is likely to result in a high risk to the rights and freedoms of natural persons. The participating Agency responsible shall inform the other concerned participating Agencies of such communication.

### **5.3 Localisation of personal data**

Personal data, collected for the purpose of the processing operation, shall only be processed within the territory of the EU/EEA and shall not leave that territory.

### **5.4 Recipients**

Access to personal data undergoing joint processing shall only be allowed to authorised staff of the participating Agencies for the purposes of administering and operating the IT system, which facilitates the processing operation. This access shall be subject to ID and password requirements.

Each participating Agency shall inform relevant participating Agencies about any transfers of personal data to the recipients in third countries or international organisations. Such transfer shall comply with requirements of Chapter V of Regulation (EU) 2018/1725.

### **5.5 Processors**

Each participating Agency, which concludes a processing agreement with a processor, shall ensure that that processor acts only on instructions from and under the processing agreement with that participating Agency. Each participating Agency shall ensure the compliance of such processing pursuant to Article 29 of Regulation (EU) 2018/1725.

After the conclusion of this Agreement, the Joint Controllers shall inform each other of any additional processor that they engage to process personal data on their behalf. Joint controllers shall do so without undue delay and at the latest within five working days after the conclusion of the processing agreement with a processor.

### **5.6 Specific responsibilities of Joint Controllers - Summary**

#### **5.6.1 *The leading Agency shall ensure and is responsible for:***

- *Publication of vacancy notice including an updated list of participating Agencies and*

*relevant information on establishment and use of a reserve list*

- *Establishment and initial use of the reserve list*
- *Sharing general information about the established reserve list with participating Agencies*
- *Obtaining consent from suitable candidates for data sharing with interested receiving Agencies.*

**5.6.2 The receiving Agency shall ensure and is responsible for:**

- *Use of the reserve list for its own recruitment needs, in line with the provisions of the vacancy notice*

**5.6.3 Jointly, all of them will:**

- *Include personal data sharing information in vacancy notices;*
- *Express interest in using a reserve list;*
- *Transfer candidate information to the receiving Agency;*
- *Update the reserve list as needed;*
- *Closure or cancellation of a reserve list;*
- *Ensure effective follow up to any data subjects' requests;*
- *Handling personal data breaches;*
- *Decide on the means, requirements, purpose of processing;*
- *Record the processing operation;*
- *Ensure that the personal data undergoing processing are adequate, accurate, relevant and limited to what is necessary for the purpose;*
- *Ensure a transparent information and communication to data subjects of their rights;*
- *Where processing is based on explicit consent, keep track of the consent and be able to demonstrate that the data subjects have consented to processing of their personal data;*
- *Facilitate the exercising of the rights of data subjects;*
- *Handle data subjects' requests;*
- *Ensure privacy by design and privacy by default;*
- *Use only processors that meet the requirements of Regulation (EU) 2018/1725 and Regulation (EU) 2016/679, respectively and to ensure that the processor's processing is governed by a contract or legal act;*
- *Identify and assess the lawfulness, necessity and proportionality of transmissions and transfers of personal data;*
- *Establish and keep up to date the list of all recipients of personal data (in the EU Member States, third countries and international organisations);*
- *Carry out a prior consultation with the European Data Protection Supervisor, as needed;*
- *Ensure that persons authorised to process personal data have committed themselves to confidentiality or are under an appropriate statutory obligation of confidentiality;*

- *Cooperate with the European Data Protection Supervisor, on request, in the performance of his or her task.*

#### **Article 6 - LIABILITY FOR NON-COMPLIANCE**

The participating Agencies shall be liable for non-compliance in line with Chapter VIII of Regulation (EU) 2018/1725.

#### **Article 7 - COOPERATION BETWEEN THE JOINT CONTROLLERS**

Each Joint Controller, when so requested, shall provide a swift and efficient assistance to the others in execution of this Agreement, while complying with all applicable requirements of Regulation (EU) 2018/1725, and other applicable data protection rules.

#### **Article 8 - SETTLEMENT OF DISPUTES**

This Agreement is governed by Union law.

The Joint Controllers shall endeavour to settle amicably any dispute arising out or relating to the interpretation or application of this Agreement.

If at any time a question, dispute or difference arises between the Joint Controllers, in relation to or in connection with this Agreement, they will use every endeavour to resolve it by a process of consultation.

The preference is that all disputes are settled at the operational level as they arise.

The purpose of the consultation shall be to review and agree so far as is practicable the action taken to solve the problem arisen and the Joint Controllers shall negotiate with each other in good faith to that end. Each Joint Controller shall respond to a request for amicable settlement within 7 working days of such request. The period to reach an amicable settlement shall be 30 working days from the date of the request.

If the dispute cannot be settled amicably, each Joint Controller may submit for mediation or/and judicial proceedings in the following manner:

- in case of mediation, the Joint Controller(s) shall jointly appoint a mediator acceptable by each of them, who will be responsible for facilitating the resolution of the dispute within two months from the referral of the dispute to him/her,
- in case of judicial proceedings, the matter shall be referred to the Court of Justice of the European Union in accordance with Article 272 of the Treaty on the Functioning of the European Union.

#### **Article 9 - AMENDMENTS AND WITHDRAWAL**

At any time, the Joint Controllers may, by written agreement, with the consent of all the Agencies that have signed the MoU, may amend or supplement this Agreement.

A participating Agency that no longer wishes to carry out the processing operation as a Joint Controller, shall inform the other participating Agencies that it intends to withdraw from this Agreement<sup>1</sup>.

#### **Article 10 - ENTRY INTO FORCE**

This Agreement shall enter into force for each participating Agency on the date it signs the Memorandum of Understanding to which this Annex is attached.

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<sup>1</sup> The withdrawal of the Joint Controllership Agreement will imply the withdrawal of the Memorandum of Understanding as foreseen in Article 13 of the MoU "*Term, Amendments and Termination*".

This Agreement shall continue to be effective for each Joint Controller for the duration of its participation in this processing operation.

## ANNEX II

### DATA PROTECTION NOTICE FOR THE PROCESSING OF PERSONAL DATA WHEN SHARING RESERVE LISTS

#### INTRODUCTION

The EU Agencies and Joint Undertakings ('participating Agencies') that signed the Memorandum of Understanding ('MoU') for the sharing of reserve lists of suitable candidates among EU Agencies and Joint Undertakings, acting as Joint Controllers, are committed to protect and respect the personal data processed in this context. The Joint Controllers collect and process personal data pursuant to Regulation (EU) 2018/1725<sup>2</sup>.

One of the data subject rights under this Regulation is that the data subject is informed when their personal data - also known as personal information - is processed (collected, used, stored, etc.) by any of the EU institutions, bodies or agencies. Data subjects also have the right to know the details and purpose of that processing.

Within this privacy statement, the data subjects will find information about the processing of personal data in the context of 'sharing reserve lists' among the EU Agencies and Joint Undertakings acting jointly as Joint Controllers<sup>3</sup>.

The Joint Controllers have signed the above-mentioned MoU which includes specific data protection clauses, the practical arrangement among the Joint Controllers and a joint controllership agreement.

#### 1. WHOSE PERSONAL DATA IS PROCESSED BY THE PARTICIPATING AGENCIES?

This Data Protection Notice concerns the following category of data subjects: candidates that apply to a post (temporary or contract agent) published by any of the EU Agencies or Joint Undertakings that have signed the MoU on sharing reserve lists, where the vacancy notice includes the relevant provisions.

#### 2. WHO IS THE DATA CONTROLLER?

Participating Agencies that signed the MoU on sharing reserve lists among the EU agencies and Joint Undertakings and are listed in the vacancy notice for which the data subject has applied.

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<sup>2</sup> 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 (OJ L 295, 21.11.2018, p. 39) (hereinafter "Regulation (EU) 2018/1725" or "the Regulation").

<sup>3</sup> A Controller is an entity who determines the purposes and means of the processing operations (Article 3.8 of Regulation 2018/1725). Where two or more Controllers jointly determine the purposes and means of processing, they are Joint Controllers as defined in article 28 of the Regulation. With regards to the processing operations described in this Privacy Statement, the Joint Controllers have an arrangement between them on the responsibilities for compliance with Data Protection obligations.

### **3. WHY DO WE PROCESS THE DATA FROM THE DATA SUBJECTS (CANDIDATES)?**

Participating EU Agencies and Joint Undertakings signed the MoU for the sharing of reserve lists of suitable candidates among EU Agencies and Joint Undertakings to:

- Facilitate recruitment by leveraging reserve lists established by the Agencies,
- Promote efficiency by reducing the overall timelines of recruitment and selection procedures and associated costs,
- Ensure access for the Agencies to a broader pool of candidates from diverse geographic locations,
- Foster cooperation among the Agencies, maximizing synergies and avoiding duplication of effort for common transversal job profiles,
- Increase the attractiveness of Agencies as employers of choice, potentially increasing the number of candidates applying for posts published by the Agencies.

According to the MoU, the leading Agency is the EU Agency or Joint Undertaking which has organised the selection procedure and is ready to share its established reserve list; a receiving Agency is the EU Agency or Joint Undertaking which is interested in using the shared reserve list to meet its recruitment needs, and is listed in the relevant vacancy notice as 'participating Agency'.

The scope of this Data Protection Notice covers processing of personal data collected by the leading agency within the context of its selection procedure for candidates included in the reserved list of suitable candidates, which, upon consent of those candidates, may be shared with a receiving Agency.

The processing of such data includes sharing of the data of the candidates on the reserve list with the receiving Agency/Agencies interested in using the shared reserve list to meet their recruitment needs, and the related processing operations undertaken by the Joint Controllers for the purpose of managing the personal data of the candidates in the shared reserve list.

This Data Protection Notice covers the following processing activities:

- Receiving consent from the candidates on the reserve list of suitable candidates: after a receiving Agency expresses interest in using a reserve list, the leading Agency will seek explicit consent of candidates on the list i.e. that they agree to their personal information being shared with the specific receiving Agency.
- Sharing of data: sharing the data of candidates on the reserve list who have given their consent with the receiving Agency (the leading agency can share the reserve list with several receiving Agencies at the same time, provided the candidates provide explicit and specific consent).
- Updating the reserve list: keeping the reserve list updated based on the information for candidates accepting a job offer and being recruited either by the leading or a receiving Agency.

The jointly processed personal data shall not be used for any automated decision-making, including profiling.

#### **4. WHAT IS THE LEGAL BASIS OF THE PROCESSING PERSONAL DATA?**

- Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community.

#### **5. GROUNDS FOR LAWFULNESS**

The processing is lawful based on Article 5(d) of Regulation (EU) 2018/1725. The leading Agency establishes the reserve list of candidates whose personal data will be shared with the receiving Agency after receiving consent of candidates on the reserve list. A Joint Controllership Agreement has been signed by the participating Agencies in line with Article 28 of Regulation (EU) 2018/1725.

#### **6. WHAT DATA IS COLLECTED AND PROCESSED?**

The following categories of data subjects' personal data are collected by the leading Agency within its selection procedure and may be shared with the receiving Agency, upon consent of candidates on the reserve list:

- Contact and identification details (Name, First Name, Address, Email address, telephone);
- Application form containing all information provided by the candidate regarding eligibility and selection criteria applicable to the selection procedure; and/or
- Curriculum vitae, if applicable.

#### **7. HOW LONG IS PERSONAL DATA KEPT?**

a) The leading Agency shall store the shared reserve list and process the personal data contained therein for a period of two years. The leading Agency must be informed of candidates having accepted a job offer and being recruited by the receiving Agency; it should promptly remove them from the reserve list.

b) The receiving Agency shall process the personal data from the shared reserve list until the completion of its selection procedure including the communication to the leading Agency on candidates accepting a job offer/recruited to ensure their prompt removal from the reserve list by the leading Agency.

#### **8. HOW DO WE PROTECT AND SAFEGUARD PERSONAL DATA IN THE SHARED RESERVE LIST?**

Personal data from the candidates in the shared reserve list is stored by the leading and receiving Agencies in accordance with their respective provisions indicated in their relevant Data Protection Notices.

Personal data of candidates in the shared reserve list are shared between the leading and a receiving Agencies by way of a secure solution of their choice, complying with the data protection principles.

## **9. WHO HAS ACCESS TO YOUR PERSONAL DATA AND TO WHOM IS IT DISCLOSED?**

Any EU agency or Joint Undertaking that signed the MoU for sharing reserve list, when acting as a leading Agency.

Any EU Agency or Joint Undertaking when acting as receiving Agency, provided they were listed in the relevant vacancy notice, and that suitable candidates on the reserve list have given explicit and specific consent for their personal data to be shared with the specific receiving Agency.

By default, authorised staff from EU agencies and Joint Undertakings, acting either as the lead or receiving agency, may access the personal data of a data subject, in line with the principles of necessity and data minimisation.

In addition, data may be disclosed to:

- Upon request and for the purposes of legal proceedings: Access to your personal data is provided to authorised staff of the EU Courts (e.g. the General Court and the Court of Justice) or national Courts, as well as, the lawyers of the parties;
- The competent Appointing Authority of the leading or receiving Agency, in case of a request or a complaint lodged under Article 90 of the Staff Regulations;
- OLAF, in case of an investigation conducted in application of Regulation (EU, Euratom) No 883/2013;
- The Internal Audit Service of the Commission within the scope of the tasks entrusted to it by article 118 of the Financial Regulation and by Article 49 of Regulation (EC) No 1653/2004;
- The Court of Auditors within the tasks entrusted to it by Article 287 of the Treaty on the Functioning of the European Union and Article 20, paragraph 5 of Regulation (EC) No 58/2003;
- The European Ombudsman within the scope of the tasks entrusted to it by Article 228 of the Treaty on the Functioning of the European Union;
- The European Data Protection supervisor in accordance with Article 58 of the Regulation (EU) 2018/1725.

## **10. THIRD PARTIES**

Information concerning the selection procedure may be disclosed to external lawyers subject to the GDPR and or EUDPR, for specific and limited purposes only. In this case a written contract (service contract) is signed between the leading or receiving Agency and the external lawyer in order to ensure that that Article 29 of the Regulation (EU) 2018/1725 is respected by the external data processor. These written contracts include a specific article on data protection.

## **11. WHAT ARE THE RIGHTS OF THE DATA SUBJECT?**

Data subjects have the right to access their personal data, the right to rectify them, if necessary, and/or to restrict its processing or erase them, if applicable. Data subjects are also entitled to object to the processing of their personal data, where relevant.

If a data subject would like to exercise his/her rights under the Regulation, if he/she has comments, questions or concerns, regarding the collection and use of their personal data, they may contact the any of the Joint Controllers.

Data subjects can withdraw their consent given to the leading Agency for sharing their personal data with other EU agencies/Joint Undertaking (receiving Agencies) at any time. This can be done by sending an email to the leading Agency that established the reserve list of suitable candidates.

Please note that access to data subject personal data and its modification or deletion may be restricted by the Joint Controllers that have adopted Internal Rules restricting data subjects' rights as provided for by Article 25 of the Regulation. This is in order to safeguard the rights of other data subjects and/or to respect the principles of equal treatment among applicants and/or the secrecy of deliberations of the Selection Board. In that context, these rights may be restricted by the relevant Joint Controller on a case-by-case basis in line with the relevant Internal Rules, where necessary and appropriate for the purposes. This restriction shall be proportionate to what is strictly necessary for the purpose of the processing. In order to lift this restriction, the relevant Joint Controller will carry out a case-by-case assessment of each individual request and give the reasons underlying its decision. The restrictions will continue applying as long as the reasons justifying them remain applicable and may be lifted if these reasons would no longer apply.

## **12. CONTACT INFORMATION**

### **The Joint Controller**

Should data subjects have comments or questions, any concerns or a complaint regarding the collection and use of their personal data, or if they would like to exercise their rights as data subject, they can contact any of the Joint Controllers, i.e. either of the leading or the receiving Agency.

### **The European Data Protection Supervisor (EDPS)**

Data subjects have the right to have recourse (i.e. can lodge a complaint) to the European Data Protection Supervisor ([edps@edps.europa.eu](mailto:edps@edps.europa.eu)) if they consider that their rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of their personal data by any of the Data Controllers.