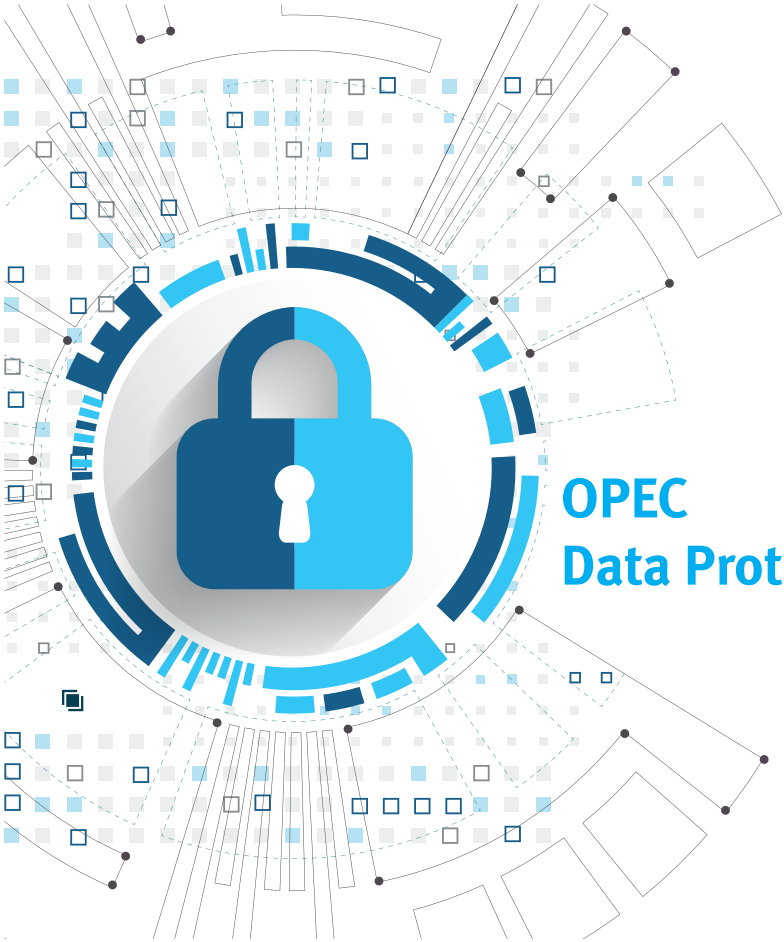




Organization of the Petroleum Exporting Countries



OPEC Data Protection Policy

2019

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OPEC Secretariat
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OPEC Secretariat

Organization of the Petroleum Exporting Countries

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Introduction

OPEC recognizes the new developments and importance of personal data protection and seeks to incorporate them in its data processing activities through developing and implementing appropriate data protection standards.

OPEC is committed to being transparent about how it collects and uses data with the aim of applying data protection international standards and safeguarding privacy of persons whose data it processes.

Wherever possible, consent is the preferred basis for processing personal data. However, due to circumstances that necessitate data processing, OPEC may not be in a position to rely on this preferred basis for some of its processing activities.

OPEC processes and protects personal data based on the principles and rules set out in this Policy, issued in application of Article 4 (1) of the Headquarters Agreement signed between the Republic of Austria and the Organization.

Article 1 Definitions

1. **Biometric data:** Personal data resulting from specific technical processing relating to the physical, physiological or behavioral characteristics of a natural person, which allow or confirm the unique identification of that natural person, such as facial images or fingerprints.
2. **Controller:** The natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.

3. **Data subject:** A natural person whose personal data is being collected, held or processed.
4. **Personal data:** Any information relating to an identified or identifiable individual or natural person. An identifiable natural person is a human being who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
5. **Processing:** Any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
6. **Processor:** A person or organization, who deals with personal data as instructed by a controller for specific purposes and services, that involves personal data processing.

Article 2 Purpose

1. These rules are intended to ensure that OPEC carries out its duties and activities established under the OPEC Statute, OPEC Staff Regulations and Confidentiality Policy, among others, while protecting the personal data it processes in accordance with international standards.

2. Certain cases necessitate that OPEC processes personal data to ensure that the Organization complies with its legal obligations.
3. OPEC may process personal data only if there is a legitimate basis for doing so, such as performance of a contract or any other legal or regulatory obligation.
4. OPEC collects and processes relevant personal data relating to its staff, visiting and summer fellows, interns and other contractors, such as consultants, experts or advisors, for the purpose of maintaining records linked with their employment or engagement terms.
5. OPEC may collect and process personal data for the purpose of receiving enquiries, responding to and handling requests, providing information about resources available and running recruitment selection process.
6. OPEC collects and processes personal data for accreditation of delegates, members of the press and other visitors to the Secretariat for security and identification purposes.
7. Personal data may be collected and processed for the purpose of web analytics, to assess the number of visitors to the OPEC website and number of page views to assess and improve the function of the website.
8. OPEC may process personal data in connection with any other activity necessary to carry out its mandate, and for purposes other than those specified at the time of collection, if such further processing is compatible with those original purposes, and, in particular, where the processing is necessary for other legitimate purposes. However, further processing will not be carried out if the risks for the data subject outweigh the benefits of further processing.

9. OPEC may process personal data including names of data subject or audio-visual material for the legitimate interests of the Organization in connection with its rights to freedom of expression and information relating to the Secretariat's publications, website and social media pages.

Article 3 **Types of data processed**

1. Personal information of staff, visiting and summer fellows, interns and other contractors, such as consultants, experts or advisors is collected and processed, including but not limited to name, date of birth, contact details, qualifications, bank details, sensitive data such as biometrics, occupational records and medical records for occupational health information and access to onsite medical treatment, to ensure effective administration under their conditions of employment and/or engagement with the Secretariat.
2. OPEC will collect personal information of staff dependents and other family members, to fulfill its obligations under the Staff Regulations and to execute other needed administrative procedures. It may also process data it collects of emergency contacts of staff in order to maintain staff records and make use of such data when necessary.
3. Data of delegates, members of the press and visitors to the Secretariat may be collected and processed, for purposes referred to under Article 2(6) of these rules. This data may include names, contact details, photographs and/or videos of such visitors.

Article 4

How data is collected

1. Personal data is collected through correspondence with data subjects, such as emails, form submissions, online job applications, registrations through the OPEC website, accreditations or other such communication.
2. Personal data is also collected directly from data subjects through identity documents provided at the time of application and/or recruitment and during the period of employment or engagement with the Secretariat, for effective selection and employment operation, or in any other circumstance.
3. For the purposes referred to under Article 2(7) of these rules, personal data may also be collected and processed through the use of the OPEC website.
4. Consent for the provision of personal data should be explicitly expressed and recorded by OPEC, except when it is collected to comply with security measures or accreditation for meetings, where entrance in OPEC premises equals consent from the data subject.

Article 5

Data transfer

1. OPEC will not share, distribute, rent or sell personal data to any third-party. However, in certain circumstances, personal data may be transferred by OPEC (Controller) to the Processor or other third party for processing, at OPEC's discretion.
2. When data is processed on behalf of OPEC, responsibilities of the parties will be clearly defined and set out in a contract or other legally

binding agreement. The Processor will be required to provide certain forms of protection for the data to comply with this Policy and agree to process it only as directed by OPEC, applying this Policy in such processing.

Article 6* **Rights of data subjects**

1. Data subjects can access and obtain copies of their personal data on request, require amendment or erasure of data, or discontinuation of processing of data, if that is compatible with the objectives and activities of OPEC and such amendment, erasure or discontinuation of processing will not cause liabilities or risks to OPEC normal activities.
2. These rights are not absolute, and the OPEC Secretariat may be entitled to refuse requests where exceptions apply, at its discretion, in application of this Policy.
3. Personal data of subjects must be accurate, up to date and complete as possible.

Article 7 **Data security, access, retention, archiving and deletion of data no longer needed**

1. Appropriate measures and degrees of security must be in place, to safeguard the processing and/or transfer of personal data. These

* See the attached procedure for Article 6 (page 9).

measures might include but are not limited to prevention of unauthorized access or use of personal data, prevention of unauthorized access to equipment used for processing, physical security, cybersecurity and strict application of the OPEC Secretariat's Confidentiality Policy by staff members in charge of processing information.

2. Access to data will be controlled and limited in accordance with operational needs. Personal data will be shared internally only with OPEC staff members for whom access to the personal data is necessary for the performance of their roles, or with other external parties, as specified under Article 5 of these rules.
3. Personal data will be retained only as long as necessary to conclude the purposes for which it was collected, and in accordance with the Organization's record retention period.
4. Personal data will be securely deleted and destroyed when processing is no longer necessary for the purposes for which it was collected or when the data subjects withdraw their consent for processing.
5. However, personal data would not be deleted when there is a legitimate reason for archiving them, for instance when necessary for long-term historical or reference purposes.

Article 8 **Data breach**

1. The discovery of any breach of security leading to accidental or unlawful alteration, destruction or loss of personal data, unauthorized disclosure of or access to personal data transmitted,

stored or otherwise processed shall be reported by the discovering staff member to the OPEC Secretary General immediately after discovery.

2. Data subjects whose data is affected must be notified of breach without undue delay, when breach puts them at particularly serious risk, unless doing so would entail disproportionate effort owing to logistical circumstances, security conditions or number of cases.

Article 9 Implementation

1. The Secretariat's data processing activities should be executed in line with the provisions of this Policy.
2. Eventual cooperation with national or regional data protection authorities shall not be construed as a waiver of OPEC's privileges and immunities under domestic and international law.
3. In order to guarantee protection of personal data and its own legal status, OPEC must ensure that its specific data protection regulatory framework is considered when entering into contracting relationships with any third party.

*** Procedure for Article 6 of the Data Protection Policy:**

1. **Request:** All Data Subjects under OPEC Data Protection Policy should direct their request to the Secretary General, with regard to their rights under Article 6 for consideration and/or approval.
2. **Evaluation of request:** The Secretary General shall forward the request for evaluation to the relevant Department/Office/Section/Unit, and receive its feedback promptly.
3. **Decision and further action:** Upon receipt of the response from the Department/Office/Section/Unit, the Secretary General shall make a decision regarding the request, communicate it to the Data Subject and instruct further action, if needed.

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