

# PRIVACY STATEMENT EQUAL JUSTICE EQUAL PAY FOUNDATION

## 1. Controller and contact

This is the privacy statement of the Equal Justice Equal Pay Foundation (hereafter: “**the Foundation**” or “**we**”) (Chamber of Commerce registration: 86307835), established in Amsterdam, visiting address (4125 RD), Hoef en Haag at the Notaris appelpad 9. The Foundation values privacy and is committed to the protection of the personal data of members of the Support Group .

The Foundation represents the interests of seafarers or former seafarers (the “**Support Group**”) who suffer, have suffered and/or run risk of suffering damages caused by ship owners or their related entities, including manning agencies (collectively, the “**Ship owners**”). The Foundation may initiate legal proceedings and/or settlement negotiations on behalf of the Support Group against Ship owners and/or will try to conclude settlements with Ship owners.

The foundation, among others, represents (former) citizens of the Republic of the Philippines or the Republic of Indonesia who were employed directly or indirectly on a ship or ships registered in the Kingdom of the Netherlands at rates of pay and/or under conditions which were discriminatory.

This privacy statement describes how the Foundation processes your personal data and which rights you have. The Foundation is the controller with regard to the processing of your personal data described in this privacy statement. All personal data is collected, processed and secured in accordance with the General Data Protection Regulation (“**GDPR**”).

Questions or remarks concerning the processing of personal data by the Foundation can be directed to the board of the Foundation, at [Privacy@seafarersclaim.com](mailto:Privacy@seafarersclaim.com).

A pdf version of this privacy statement, to save or print, can be downloaded [here](#)

## 2. From whom do we process personal data?

The Foundation processes the personal data from:

- Members of the Support Group who have entered into an Agreement and Deed of Assignment, Exclusive Mandate and Power of Attorney with the Foundation;
- Members of the Support Group who have registered their potential claim at [www.seafarersclaim.com](http://www.seafarersclaim.com);
- Potential Support Group Members;
- Persons who wish to be kept informed;
- Visitors of the website [www.seafarersclaim.com](http://www.seafarersclaim.com).

## 3. Categories of personal data

### 3.1 Support Group members

The Foundation processes, *inter alia*, the following personal data of members of the Support Group:

- First name and surname, preposition, title;
- Address, place and country of residence;
- Nationality;
- Email address;
- Telephone number;
- Date of birth;
- Sex;
- Correspondence with you;
- Copy of valid ID (national identification number shall be masked);
- Financial data, such as your bank account number/IBAN number;
- Data with regard to your financial situation, a.o. your work income and or benefits received;
- Data with regard to your working situation, which may include (parts of) your employment (contract) history, correspondence with your (former) employer, ship employment manuals/guidelines and salary;
- Ships worked on and routes travelled;
- Any other personal data and evidence that you provide to us or which is required or necessary for purposes described below.

### 3.2 Website visitors

When you visit our website, [www.seafarersclaim.com](http://www.seafarersclaim.com), we need certain information in order for the Website to function properly and for security purposes. This includes information about the device you use to visit the website and data about the navigation and your behavior on the website. We also store information collected by means of cookies (See [Cookie Policy](#)).

### 3.3 Potential Support Group members

We promote our cause to potential Support Group members through social media. To this end we process:

- Demographic information and other characteristics about the persons who may be interested in our cause. We can only target groups of persons with certain characteristics. We do not know which people see our advertisements;
- If you click on an advertisement:
  - The ad that you have clicked on;
  - Whether you continue on our website to register;
  - Technical information as described under 3.2.

### 4. For what purpose and on what legal basis do we process personal data?

The Foundation processes your data for the following purposes:

<b>Purpose and legal basis</b>	<b>Examples</b>
<p><b>Participation</b> - To process your participation to the claim (if you enter into an Agreement and Deed of Assignment, Exclusive Mandate and Power of Attorney with the Foundation)</p> <p><i>Legal basis: performance of the contract with you (and fulfillment of a legal obligation regarding tax and administrative obligations)</i></p>	<ul style="list-style-type: none"> <li>□ To verify if you are part of the Support Group and to set up a file in which all relevant documentation relating to you will be stored</li> </ul>
<p><b>Claim handling</b> - Representation of the interest of members of the Support Group against the Ship owners in and out of court.</p> <p><i>Legal basis: the performance of the contract with you and to comply with our legal obligation to keep financial/fiscal records</i></p>	<ul style="list-style-type: none"> <li>□ Receive, review, correspond about, process and handle your claim</li> <li>□ Conducting settlement negotiations and/or legal proceedings</li> <li>□ Handling payments relating to the claim (compensation for damages)</li> <li>□ Maintaining records and archives</li> </ul>
<p><b>Identification</b></p> <p><i>Legal basis: To comply with our (legal) obligations to establish the identity of participants.</i></p>	<ul style="list-style-type: none"> <li>□ To identify you and to avoid confusion with other people in the Support Group</li> </ul>

<p><b>Communication</b> Corresponding with you regarding our activities</p> <p><i>Legal basis: the performance of the contract with you (and consent for sending the newsletter).</i></p>	<ul style="list-style-type: none"> <li>□ To communicate with you and to inform you of topics that are of importance to the representation of your interests</li> <li>□ To answer your questions or request if you contact us</li> </ul>
<p><b>Fraud prevention</b></p> <p><i>Legal basis: Our legitimate interest in preventing fraud</i></p>	<ul style="list-style-type: none"> <li>□ To avoid that people not suffering damage as a result of the actions of Ship owners join the Support Group and would thus unfairly profit from the activities of the Foundation</li> </ul>
<p><b>To protect the Foundation's interests</b></p> <p><i>Legal basis: our legitimate interest in protecting our position</i></p>	<ul style="list-style-type: none"> <li>□ Retaining information (in a legal archive ) only to the extent necessary to protect the Foundation's legal position</li> </ul>
<p><b>Website Functioning</b></p> <p><i>Legal basis: The performance of the contract with you</i></p>	<ul style="list-style-type: none"> <li>□ To provide you with a well-functioning and secured website</li> <li>□ The Foundation has a legitimate interest in monitoring our website. The processing activities in this context are aimed at providing you with a well-functioning and secured website</li> </ul>
<p><b>Analytics Website</b></p> <p><i>Legal basis: our legitimate interest in improving our website and measures communications to and through the website.</i></p>	<ul style="list-style-type: none"> <li>□ Measuring your behavior on our website (in a privacy friendly manner) in order to improve our website</li> </ul>
<p><b>To target potential Support Group members</b></p>	<ul style="list-style-type: none"> <li>□ Use of social media to target persons potentially interested in our cause</li> </ul>

<i>Legal basis: consent</i>	<ul style="list-style-type: none"> <li>□ Use of tracking cookies to target potential Support Group members.</li> <li>□ Measuring the effectiveness of our campaigns</li> </ul>
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## 5. Retention terms

The Foundation does not retain personal data for longer than is necessary for the purposes for which your data is collected. If possible, personal data will be pseudonymized.

Inter alia the following retention terms apply:

Personal data in active files	Until the legal procedure and the archiving period (please see below) have ended
Personal data in archived files	20 years from the date the file has been archived. If a procedure becomes active again, the retention term will start over.
Personal data in the financial administration	7 years from the fiscal year
Cookie information	A maximum of 6 months (please see our cookie statement for the expiration time)

## 6. (Categories of) recipients

The Foundation may use third party services to process your personal data in line with this Privacy Policy. Some of these parties act as processors for the Foundation and the Foundation ensures that these parties provide sufficient safeguards in terms of technical and organizational security measures. With third parties that act as processors for Foundation, we have entered into a processor agreement that provides that they will only process data in accordance with the Foundations' instructions.

The Foundation will only share your personal data with third parties to the extent necessary for the purposes mentioned in this privacy statement. For example, the Foundation may share participants' personal data with its lawyers, counterparties, process financiers, experts, courts, bailiffs and similar parties.

The Foundation promotes its cause on:

- Instagram and Facebook, both owned by Meta Ireland (“**Meta**”). For this purpose, the Foundation and Meta are joint controller and we have closed an **agreement** to determine our respective responsibilities. Further information regarding the processing of personal data by Meta is available at: <https://www.facebook.com/privacy/policy/>.

In cases other than those referred to above, the Foundation will only share your personal data with third parties if you have given your consent to do so, in order to comply with (legal) obligations or if this is necessary for the legitimate interests pursued by the Foundation or third parties. If possible, personal data will be pseudonymized.

## 7. Transfers of third countries

Your personal data will only be stored or processed outside the EU/EEA by us or by third parties if this is in accordance with the applicable regulations for the transfer of personal data to countries outside the EU/EEA. This means that we will only transfer your personal data to countries outside the EU/EEA if the European Commission has decided that the third country in question guarantees an adequate level of protection, or if other appropriate safeguards are provided, such as an adequacy decision or the use of unmodified standard contractual clauses that have been approved by the European Commission. These can be found at [https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/model-contracts-transfer-personal-data-third-countries\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/model-contracts-transfer-personal-data-third-countries_en).

## 8. Cookies

Cookies are small text files that are stored on your computer, smartphone or other device when you visit our website [www.seafarersclaim.com](http://www.seafarersclaim.com). Cookies help us to function, analyze and personalize the website. Cookies remember data from your previous visit to the website so that the site works better and displays more relevant information for you. We also use comparable techniques, such as web beacons and pixels.

Cookies do not allow us to access your computer, smartphone or other device, nor do they allow us to access any information other than that for which you have given us permission. We give you the choice to accept or reject cookies, with the exception of functional cookies and cookies with no or limited impact on your privacy. In addition, you can also adjust your web browser settings to refuse cookies. As a result, it is possible that our website is no longer fully functional.

The Foundation makes use of the following first party cookies, which are placed by the foundation itself:

You can find all the cookies used by the foundation in our [Cookie policy](#) .

## 9. Your rights

The GDPR provides you with the right of access, rectification and erasure of your personal data. In addition, you can ask us for restriction of the processing, to transfer the personal data and you have the right to object to the processing. You can exercise these rights by contacting us via [Privacy@seafarersclaim.com](mailto:Privacy@seafarersclaim.com). You also have the right to lodge a complaint with the Dutch supervisory authority, the Autoriteit Persoonsgegevens (<https://autoriteitpersoonsgegevens.nl/nl/zelf-doen/privacyrechten/klacht-indienen-bij-de-ap>).

## 10. Security

The Foundation takes appropriate technical and organizational measures to protect your personal data against loss or unlawful processing.

## 11. Amendments

This privacy statement was last updated on 3 June 2022. We may amend this privacy statement from time to time. We therefore advise you to consult the privacy statement regularly. If there are substantial changes to this privacy statement, a clear notification will follow.