

Expert meeting on Digitalisation and Justice: fundamental rights guidance, 28.11.2023

The European Union Agency for Fundamental Rights (FRA or Agency) processes the personal data of a natural person in compliance with Regulation 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 on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

This data protection notice explains FRA's policies and practices regarding its collection and use of your personal data, and sets forth your privacy rights. We recognise that information privacy is an ongoing responsibility, and we will update this notice where necessary.

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1. Why do we process personal data?

We collect the personal data of experts invited to and participating in the expert meeting on Digitalisation and justice, taking place in Vienna at the FRA premises on 28 November 2023 from 09.30-17.00 CET.

2. What kind of personal data does the Agency process?

We will collect only the following personal data necessary for the processing operation described above.

(a) General personal data:

- Personal details: civic title, first name, surname, gender. For experts who receive reimbursement of travel, a copy of the ID or passport is required as well as the address and bank account information.
- Contact details: e-mail address, phone, mobile phone numbers (optional), postal address
- Education & Training details: For the list of participants, FRA may collect participants' educational background.
- Employment details: function/title, name and type of the employer/organisation
- Financial details: financial identification form and bank account information for those experts who receive reimbursement of travel/accommodation expenses.

3. How do we collect and process your personal data?

Via email correspondence we will collect personal data to allow FRA to organize the face-to-face expert meeting and/or the payment of reimbursable costs in line with the FRA [mission guide](#).

3a. Information you provide us

For the organization of the expert meeting, FRA will collect from you the personal data described in Section 2 above via email. Through email correspondence you will provide FRA with the information allowing us to reimburse your travel and accommodation expenses.

Should you inform FRA about any sensitive personal data (such as food preferences for catering and dinner offered by FRA that may reveal religious beliefs, or limited information concerning health that need to be taken into account for organising the expert meeting, e.g. special accommodation required by participants with disabilities), your consent to the processing will be requested by email.

For centralizing all email communications related to this expert meeting, FRA uses [Microsoft Office 365](#) cloud-based services.

3b. Information we receive from other sources

In case an invited expert cannot attend the meeting, FRA may ask the expert to suggest other experts in their organisations to be invited to the event.

4. Who is responsible for processing your personal data?

The Agency is the legal entity responsible for the processing of your personal data and determines the objective of this processing activity. The Head of Justice, Digital and Migration Unit is responsible for this processing operation.

Moreover, the third party indicated above might also process your personal data, acting as FRA's data processor.

5. Which is the legal basis for this processing operation?

The processing operation is necessary for the performance of the tasks carried out by the Agency in the public interest to achieve the objectives set out in its Work Programme and are necessary for the management and functioning of the Agency. In particular, Article 6.1(b) of the FRA Founding Regulation (Council Regulation (EC) No. 168/2007 establishing a European Union Agency for Fundamental Rights as amended by Regulation (EU) 2022/555) foresees the organization of meetings of external experts as one of FRA's working methods to carry out its activities.

Therefore, the processing is lawful under Article 5.1.(a) of the Regulation (EU) No 2018/1725.

In addition, processing of financial and bank account information in order to reimburse travel and accommodation expenses is necessary to comply with Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union.

Therefore, the processing operation is lawful in accordance with Article 5.1.(b) of Regulation (EU) 2018/1725.

If the processing of the special categories of personal data referred to in section 3a takes place, it will be lawful under Article 10.(2)(a) of the same Regulation, as specific consent will be given by the data subjects, and it will be stored.

6. Who can see your data?

A restricted number of FRA staff responsible for organising the meeting has access to your contact details. A restricted number of staff in Corporate Services (Finance Sector) has access to the financial data when the reimbursement of travel or accommodation expenses is necessary. Assigned staff from Corporate Services (Digital Services) might have access to some personal data necessary to provide technical support.

In case of reimbursement of costs to experts, their financial and/or legal identification forms including supporting documents are transferred to the European Commission (DG Budget) in order to validate data subjects' details in the European Union's accounting system ABAC. Data is processed in this regard in line with FRA's data protection notice [here](#).

Moreover, restricted staff of FRA's processor (MS), which is bound by specific contractual clauses for any processing operations of experts' personal data on behalf of FRA, and by the confidentiality obligations deriving from Regulation (EC) 2018/1725), might have access to some personal data as indicated in the respective data protection notice referred to above.

7. Do we share your data with other organisations?

Personal data is processed by the Agency (including the processor). In case that we need to share your data with third parties, you will be notified to whom your personal data has been shared with.

8. Do we intend to transfer your personal data to Third Countries/International Organizations

No.

9. When will we start the processing operation?

We will start the processing operation in November 2023.

10. How long do we keep your data?

Information and personal data collected by FRA in the context of the organization of this expert meeting will be kept for one year after the event.

The data related to the Financial and Legal identification form is kept for a maximum of 10 years after the last transaction of data related to the data subject (please refer to the relevant data protection notice [here](#)).

11. How can you control your data?

Under Regulation 2018/1725, you have rights we need to make you aware of. The rights available to you depend on our reason for processing your information. You are not required to pay any charges for exercising your rights except in cases where the requests are manifestly unfounded or excessive, in particular because of their repetitive character.

We will reply to your request without undue delay and in any event within one month of receipt of the request. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests.

You can exercise your rights described below by sending an email request to justice_security@fra.europa.eu

11.1. The value of your consent

The eventual processing of special categories of personal data referred to in Section 3a will be based on your consent, which will be requested from you via email, as indicated above.

In that case, you have the right to withdraw your consent at any time, and we will delete your data or restrict its processing. All processing operations up until the withdrawal of consent will still be lawful.

11.2. Your data protection rights

a. Can you access your data?

You have the right to receive information on whether we process your personal data or not, the purposes of the processing, the categories of personal data concerned, any recipients to whom the personal data have been disclosed and their storage period. Furthermore, you can have access to such data, as well as obtain copies of your data undergoing processing.

b. Can you modify your data?

You have the right to ask us to rectify your data you think is inaccurate or incomplete at any time.

c. Can you restrict us from processing your data?

You have the right to restrict the processing of your personal data. If you do, we can no longer process them, but we can still store them. In some exceptional cases, we will still be able to use them (e.g. with your consent or for legal claims). You have this right in a few different situations: when you contest the accuracy of your personal data, when the Agency no longer needs the data for completing its tasks, when the processing activity is unlawful, and finally, when you have exercised your right to object.

d. Can you delete your data?

You have the right to ask us to delete your data when the personal data are no longer necessary for the purposes for which they were collected, when you have withdrawn your consent or when the processing activity is unlawful. In certain occasions we will have to erase your data in order to comply with a legal obligation to which we are subject.

We will notify to each recipient to whom your personal data have been disclosed of any rectification or erasure of personal data or restriction of processing carried out in accordance with the above rights unless this proves impossible or involves disproportionate effort from our side.

e. Are you entitled to data portability?

Data portability is a right guaranteed under Regulation 1725/2018 and consists in the right to have your personal data transmitted to you or directly to another controller of your choice.

In this case, this does not apply for two reasons: I) in order for this right to be guaranteed, the processing should be based on automated means, however we do not base our processing on any automated means; II) this processing operation is carried out in the public interest, which is an exception to the right to data portability in the Regulation.

f. Do you have the right to object?

When the legal base of the processing is “*necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body*” which is the case in most of our processing operations, you have the right to object to the processing. In case you object, we have to stop the processing of your personal data, unless we demonstrate a compelling reason that can override your objection.

g. Do we do automated decision making, including profiling?

Your personal data will not be used for an automated decision-making including profiling.

12. What security measures are taken to safeguard your personal data?

The Agency has several security controls in place to protect your personal data from unauthorised access, use or disclosure. We keep your data stored on our internal servers with limited access to a specified audience only. Access to the MS Teams cloud is achieved via a secure connection.

13. What can you do in the event of a problem?

a) The first step is to notify the Agency by sending an email to justice_security@fra.europa.eu and ask us to take action.

b) The second step, if you obtain no reply from us or if you are not satisfied with it, contact our Data Protection Officer (DPO) at dpo@fra.europa.eu.

c) At any time you can lodge a complaint with the EDPS at <http://www.edps.europa.eu>, who will examine your request and adopt the necessary measures.

14. How do we update our data protection notice?

We keep our data protection notice under regular review to make sure it is up to date and accurate.

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