

Mapping of national (EU-27) legal experts on the Charter of Fundamental Rights of the European Union and of national actors and higher education institutions (EU-27) for Charter capacity-building and their respective offers of courses, instruments, and events

The European Union Agency for Fundamental Rights (FRA or Agency or organiser) 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 privacy 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 collect personal data?

The purpose of the processing of your personal data is to support the implementation of the new EU Charter strategy by reducing both the lack of awareness about the Charter and the language barrier at national level. In this regard, FRA will share with relevant stakeholders a list of national Charter experts/trainers specialised in various legal disciplines and thematic policy areas and Charter-related courses, regular events and instruments available in national languages and in all 27 EU Member States (EU MS). The stakeholders will serve as multipliers for capacity building on the Charter at national level such as national human rights institutions, equality bodies, Ombud's institutions, civil society organisations, training institutions at both EU and national level, EU institutions and bodies, national public authorities and governmental bodies

At the same time, FRA requires an overview of relevant national actors (e.g. legal/judicial training institutions) for Charter capacity-building/training and national higher education institutions (in all EU-27) who the Agency could approach regarding the dissemination of its Charter materials and other (capacity building) resources, including e-courses that could be used by those actors.

The **result of the mapping exercise** will contribute:

1. To create an (open) repository of relevant Charter courses and instruments and an (open) network of expertise on the Charter of Fundamental Rights of the EU across Europe. Everybody interested will be able to draw on these in their Charter-related work, events, and training.
2. To decrease the language barrier in accessing experts, instruments, and training regarding the Charter and its application at the national level.
3. To increase awareness of FRA's Charter materials, tools, and e-courses that could be used by national Charter experts and capacity-building actors.

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

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

For the overview list of contact details of high-profile legal experts (both academia and legal practitioners) on the Charter at national level and for all 27 EU Member States:

- Personal details (required): surname(s), first name(s), nationality, academic title(s) incl. educational institution(s), country of expertise, mother tongue;
- Contact details (required): professional email address(es);
- Employment details (required): current profession, job title, name of employer, type of work, years of professional experience, relevant former professions and employers;
- Education & Training details: academic title(s) incl. educational institution(s), , languages spoken at minimum C1 level according to [CEFR](#), mastery level of English, Charter-related expertise and specialisation area;

- Services provided: Details of engagement in Charter capacity-building activities (e.g. training, training material, development of or contribution to courses incl. e-courses and/or webpages or alike, research, publications, policy advice, examples for public visibility).

For the overview list of capacity building/training actors (organisations, institutions, other bodies, associations or foundations) and higher education institutions at national level:

- Name of actor
- Type of actor (e.g. university [legal faculty], ministries of justice, EU-level training institute, national human rights institution, equality body, Ombud's institution, civil society organisation);
- Actor's specific relevance for Charter; specialisation area;
- Contact details (required): surname(s) and first name(s) of relevant contact person(s), incl. job title, unit/department, professional e-mail address(es),

3. How do we collect your personal data?

3.a. Information you provide us: Through digital channels, e.g. e-mail and/or internet and/or telephone call via our FRANET contractors, which the Agency has for every EU MS. Please see here a list to these FRANET contractors network: <https://fra.europa.eu/en/cooperation/franet>. The data collected will be delivered to FRA by e-mail.

3b. Information we receive from other sources

FRANET contractors may undertake internet research and find data of experts, actors, and educational institutions at national level that is publicly available.

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 the Institutional Cooperation and Networks Unit is responsible for this processing operation.

27 FRANET contractors will be asked to collect the data on behalf of FRA, each covering one EU MS. Each contractor is required to provide to the experts and contact persons relevant information (this data protection notice) on how they process and store their personal data and the digital means (including online tools used to carry out interviews) for all of which the IT servers used must be based within the EU. Furthermore, the contractors must delete the collected data from all their files after delivery of the final report to FRA and in accordance with their data protection/privacy notice.

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

The processing operations of personal data linked to the mapping of national legal experts and training institutions and their respective offers is necessary for the management and functioning of the Agency. The Agency has the objective of providing the relevant institutions, bodies, offices and agencies of the Community and its Member States when implementing Community law with assistance and expertise relating to fundamental rights in order to support them when they take measures or formulate courses of action within

their respective spheres of competence to fully respect fundamental rights (Article 2 of [Regulation \(EC\) No 168/2007](#)).

The Agency is tasked with collecting, recording, analysing and disseminating relevant, objective, reliable and comparable information and data, including results from research and monitoring communicated to it by Member States, Union institutions as well as bodies, offices and agencies of the Community and the Union, research centres, national bodies, non-governmental organisations, third countries and international organisations and in particular by the competent bodies of the Council of Europe (Art. 4 (1) (a) of Regulation (eC) No 168/2007). Moreover, this activity lies within the Agency's [Multi-annual Framework 2018-2022](#) (see a., b., and d) and its [Annual Work Programme 2022](#) (see D 1.5).

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

Furthermore, the participants in the mapping exercise will participate on a voluntary basis. They will be informed about the respective data protection measures by a data protection privacy notice on the FRA website, and are asked to provide their consent to the data processing by signing the respective consent form.

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

6. Who can see your data?

Access to your data is granted to authorised staff of FRA only. Access to the database where the personal data are stored is restricted to delegated staff members in the Institutional Cooperation & Networks Unit and the Technical Assistance & Capacity Building Unit who are dealing with the organisation and content of the seminar and the files concerned are password protected.

The recipients also include selected staff of FRANET contractors- service providers, bound by confidentiality clauses, involved in this mapping exercise.

The names, e-mail addresses and profiles of the mapped respective legal experts and the national legal (Charter) training providers, their respective contact persons and their respective offers will be made accessible to the public via the FRA's website and/or learning platform (Moodle), subject to their consent.

Furthermore, FRA will share also those with relevant stakeholders at national level (e.g. national human rights institutions, equality bodies, Ombud's institutions, civil society organisations, training institutions at both EU and national level, EU institutions and bodies, national public authorities and governmental bodies).

7. Do we share your data with other organisations?

FRA intends to share your personal data with relevant stakeholders acting as multipliers for Charter capacity building (e.g. national human rights institutions, equality bodies, Ombud's institutions, civil society organisations, training institutions at both EU and national level, EU institutions and bodies, national public

authorities and governmental bodies) across the EU who may be in search of a national legal expert to support their capacity-building activities (See Section 6 of this Notice).

Neither FRA nor its service providers share personal data with any other third parties.

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 February-March 2022.

10. How long do we keep your data?

Personal data will be kept for an initial period of 5 years, which is necessary for the project/research purpose. After that date, FRA may contact you again and ask you if you agree that we keep your data for an additional period to be defined at that time and if the purpose of the data processing is still given.

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 Charter@fra.europa.eu.

a. The value of your consent

Since your participation is not mandatory, we need proof that you consented to the processing of your personal data. Consent will be collected via a separate consent form. 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.

b. 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 where 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 2018/1725 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.

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 Charter@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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