

## **Fundamental Rights Dialogue, taking place on 7 May 2022 in Paris**

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 collect personal data?**

FRA is responsible together with the Representation of the European Commission in France for the overall organisation of the Fundamental Rights Dialogue (the 'Event'), the communication with the plenary speakers and the moderator before and after the end of the event, as well as communication and promotion of the event.

The purpose of the processing of personal data is to identify and invite plenary speakers, moderator and onsite participants, reporting on the event, as well as carrying out promotional activities (e.g. highlights video, news items and social media clips).

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

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

- For plenary speakers and moderator of the event, the data collected will be personal details (name, surname), contact details (email address), and employment details (role and organisation) prior to the event, as well as audio and video recording and pictures, based on their prior consent
- For participants from the audience during the event, the data collected will include audio and video recording and pictures which will be broadcasted live and used for promotional activities (e.g. highlights video, news items and social media clips) after the event.
- The Event will also be published as a livestream broadcasted on YouTube Live. It will be available as 'video on demand' (hereinafter "VOD") after the Event on these different platforms. Recorded chat messages on the platforms YouTube will remain available on the VOD functionality. (See [YouTube terms and conditions](#) and [Google privacy notice](#)). Those who want to engage with the Chat (Live) or via the Comments functionality, should be aware that using the YouTube live chat whilst being logged in with a regular Gmail account, will mean that the user's real name will be shown. This can be changed in the display settings of your account ([direct link](#)).

### **3. How do we collect your personal data?**

Personal data will be collected through the following means:

- The Event will be recorded and live streamed on YouTube Live stream.

Viewers watching the Event via the stream may comment and give feedback in the chat during the Event. By using the live chat and/or comments functionalities, the users agree with the YouTube terms and

conditions, and its privacy policy (see section 2 above). The use of the chat/comments tool remains fully optional. FRA does not collect any personal data from this platform.

#### **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 Communication and Events department is responsible for this processing operation.

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

This processing operation is in line with the Agency's objectives, as stated in Article 2 of its [founding Regulation \(EC\) No 168/2007](#), as amended by [Regulation \(EU\) 2022/555](#) (the amended founding Regulation), to provide its stakeholders, including Union institutions and EU Member States, with assistance and expertise relating to fundamental rights. More specifically, FRA is tasked with promoting dialogue with civil society in order to raise public awareness of fundamental rights and actively disseminate information about its work, under Article 4(1)(h) of the aforementioned amended founding Regulation. Therefore, the processing is lawful in accordance with Article 5.1.(a) of the [Regulation \(EU\) No 2018/1725](#), particularly as regards activities such as reporting on the event, as well as event follow-up actions, news items and promotional activities (see Section 1 of this Notice)

In addition, the processing of the personal data is also in accordance with Article 5.1.(d) of Regulation (EU) No 2018/1725, as regards the participation in the event, the audio and video recording of plenary speakers, moderator and participants, and the possible inclusion (publishing, web streaming) of their names (for plenary speakers/moderator), and pictures, video and audio recording (for plenary speakers, moderator and participants) in the intranet or Internet site of FRA, and FRA's social media accounts, based on the scope of their consent.

With respect to possible processing of special categories of personal data (video recording and pictures possibly revealing racial/ethnic origin), this is covered under Article 10.2.(a) of Regulation 2018/1725. Specific consent has been given and it is stored.

#### **6. Who can see your data?**

Access to your data is granted to authorised staff of FRA and to restricted number of staff of the service providers who supports the organisation of the Event through a framework contract with the Representation of European Commission in France. The recording of the Event might be shared with FRA's framework contractor(s) for audio visual services for the post production of the highlights videos related to the above mentioned promotional activities. These service providers are bound by confidentiality clauses.

Since FRA is tasked with promoting dialogue with civil society in order to raise public awareness of fundamental rights and actively disseminate information about its work, under Article 4(1)(h) of the aforementioned amended founding Regulation, personal data of speakers and participants (pictures, video or audio recording) are distributed to a wider public (intranet or Internet) for visibility purposes. More

specifically, personal data of speakers and participants at the Event (pictures, video and audio recordings) and the names of plenary speakers/moderator may be published or web streamed on the internet and intranet site of FRA, and FRA's social media accounts.

**7. Do we share your data with other organisations?**

Personal data is processed by the Agency only. 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.

In the context of the platforms, which the participants may choose to use, transfers outside of the EU and EEA might take place. You are encouraged to read the latest versions of their respective terms and conditions and privacy notices (links provided under Section 2 above).

**9. When we will start the processing operation?**

We will start the processing operation on May 2022.

**10. How long do we keep your data?**

Personal data will be kept after the Event to ensure implementing necessary follow-up activities with regard to the purpose(s) of the processing of personal data as well as for its related management. This data will be retained by FRA until 22 December 2023.

Photos, audio and video recordings are stored in FRA Communication and events Unit drive for three years. Within this time, the files to be used for communication purposes and/or be archived for historical purposes shall be selected. The remaining files shall be deleted.

**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 [event@fra.europa.eu](mailto:event@fra.europa.eu).

### **11.1. How valuable is your consent for us?**

Since your participation is not mandatory, we need proof that you consented to the processing of your personal data.

With respect to the participants, consent will be collected at the event. The moderator will be recorded informing the participants about the data protection notice and the different consent settings, which are available to you. This information will also be shown on a big screen and on signs at the venue. More specifically, your consent will be confirmed at the event via the use of different coloured stickers (Green = Consent and Red= Don't Consent). If you do not agree with your image or voice being recorded and published, you will be thus seated in a dedicated area, the "Red Area" which will not be recorded or broadcasted. If you agree to participate in the Event by taking the floor, you will be seated in the "Green Area" which will be recorded and broadcasted live. With the use of the Green sticker, you also consent to the further use of the recording for promotional activities (e.g. highlights video and social media clips).

With respect to the plenary speakers and moderator of the event, consent will be collected prior to the event, via a dedicated 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.

### **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 basis 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 [event@fra.europa.eu](mailto:event@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](mailto: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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