

PRIVACY NOTICE

[Access to Documents under Regulation \(EC\) 1049/2001](#)

The European Union Agency for Fundamental Rights (FRA) 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?

We collect the data to enable FRA to handle and manage your public access to documents request under Regulation (EC) No 1049/2001, documents of our Agency.

The provision of personal data is necessary for the identification of the individuals and for the effective handling of their requests for access to documents.

Possible consequence for not providing such data for the individual is the impossibility to manage and respond to such requests.

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

The Agency collects general categories of personal data related to identification and contact details: first name, surname, email address, postal address, postcode and the country of residence.

3. How do we collect your personal data?

We collect only the personal data you provide us with by filling in the form for access to documents on the website of the Agency.

4. Who is responsible for the 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 Corporate Services Unit is responsible for this processing operation.

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

Public access to documents is necessary for the management and functioning of the Agency. Therefore, the processing is lawful under Article 5(a) of the Regulation (EU) No 2018/1725.

Public access to documents is necessary for compliance with a legal obligation of EU law to which the Agency is subject, Regulation (EC) No 1049/2001. Therefore, the processing is lawful under Article 5(b) of the Regulation (EU) No 2018/1725.

Also, since the participation in the access to documents is not mandatory, the processing is lawful under Article 5(d) of the Regulation (EU) No 2018/1725 because "the data subject has unambiguously given his or her consent".

Moreover, processing is necessary for protecting your vital interests. Therefore, the processing is lawful under Article 5(e) of the Regulation (EU) No 2018/1725.

6. Who can see your data?

The public access to documents requests received by the Agency are directed towards the Access to Documents Team, and only this team can access your data.

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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.

9. When we will start the processing operation?

We will start the processing operation when you are submitting your application for the public access to our documents under Regulation (EC) No 1049/2001.

10. How long do we keep your data?

The requests for public access to the documents of the Agency under Regulation (EC) No 1049/2001 are stored for a maximum period of five years, in order to ensure consistency in the treatment of applications and the correct follow-up to confirmatory applications, complaints and court proceedings.

11. How can you control your data?

You can access, modify or delete your personal data by sending an email request to documents@fra.europa.eu. More details are provided below.

11.1. How valuable is your consent for us?

Since the participation in the access to documents is not mandatory, the processing is lawful because “the data subject has unambiguously given his or her consent”. Therefore, you have the right to withdraw your consent at any time, and we will delete your data or restrict its processing.

11.2. Your data protection rights

Under data protection law, 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.

a) Can you access your data?

You have the right to receive confirmation whether or not we process your personal data. Furthermore, you can have access to such data, as well as obtain copies of your data undergoing processing, at any time and free of charge, by sending an email request to documents@fra.europa.eu.

b) Can you modify your data?

You have the right to ask us to rectify - update or correct your data you think is inaccurate or incomplete at any time by sending an email request to documents@fra.europa.eu.

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c) Can you restrict us from processing your data?

You have the right to block the processing of your personal data at any time by sending an email request to documents@fra.europa.eu when you contest the accuracy of your personal data or when the Agency no longer needs the data for completing its tasks. You can also block the processing activity when the operation is unlawful, and you oppose to the erasure of the data.

d) Can you delete your data?

You have the right to ask us to delete your data at any time by sending an email request to documents@fra.europa.eu when the processing activity is unlawful.

e) Can you request the transfer of your data to a third party?

This only applies to information you have given us. You have the right to ask that we transfer the information you gave us from one organisation to another, or give it to you. The right only applies if we are processing information based on your consent or under contract or in talks about entering into a contract and the processing is automated. You are not required to pay any charges for exercising your rights. We have (time period) to respond to you.

f) Do you have the right to object?

Yes, you have the right to object at any time by sending an email request to documents@fra.europa.eu when you have legitimate reasons relating to your particular situation. Moreover, you will be informed before your information is disclosed for the first time to third parties, or before it is used on their behalf, for direct marketing purposes. The Agency will address your requests within 15 working days from the receipt of the request.

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

No.

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 computer systems 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 documents@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 privacy notice?

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