

Collection of information among Jewish Communities on the situation after October 7th, 2023

The European Union Agency for Fundamental Rights (hereinafter 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?

FRA collected data concerning the experiences and opinions of persons self-identifying as Jews from January until June 2023 through an online survey in 13 Member States, the results of which will be presented in a report. However, the reality for many Jews in the EU changed drastically after the Hamas terrorist attack on Israel on October 7th, 2023. A reality which cannot be described with the current survey data.

In order to contextualise the findings, FRA will undertake a small data collection via LimeSurvey addressed to representatives of the largest Jewish community organisations in the Member States covered by the survey (Austria, Belgium, Czechia, Germany, Denmark, Spain, France, Hungary, Italy, the Netherlands, Poland, Romania, Sweden). The invitations to the small survey will be sent via the project manager's FRA email account to the relevant Jewish organisations. The respondents to the survey, who are not necessarily the contacts that received the invitation, will be invited to indicate the name of the organisation they are representing in order to avoid double entries, but will not be asked any questions pertaining to them individually (contact details, personal opinions, experiences etc.). In the very unlikely case that the respondents share personal information or experiences in the answers to the open-ended questions, the information will be removed.

The respondents are asked to report on the situation of Jewish people after October 7th, 2023 in the country that their organisation represents, not on their personal experiences and attitudes. Descriptions of the situation for Jews in these Member States, based on the input of the respondents, will be compiled in dedicated sections of the Antisemitism Survey report and other related FRA products in an anonymised format. Anonymised quotes might be used.

2. What kind of personal data is processed?

The survey questionnaire is not asking any personal information about the respondent. In the unlikely event that respondents share any general or specific personal data with FRA, this data will be deleted.

The data collected through the survey cannot be linked to the recipients personal details or contact details. The recipient of the survey invitation is not necessarily the respondent to the survey and the respondents will not be asked to provide general personal information.

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

(a) General personal data:

- Recipients' personal details: name, surname (obtained by FRA from previous professional relations with FRA in the past or via publicly available websites, not linked to the survey data)
- Recipients' contact details: email address. (obtained by FRA from previous professional relations with FRA in the past or via publicly available websites, not linked to the survey data)
- Others:
 - Two types of session cookies are used by LimeSurvey:

PHPSESSID Domain: fra.europa.eu

This cookie is native to PHP applications. The cookie is used to store and identify a users" unique session ID for the purpose of managing user session on the website. The cookie is a session cookie and is deleted when all the browser windows are closed.

YII_CSRF_TOKEN Domain: fra.europa.eu

This cookie is created to prevent Cross-Site Request Forgery (CSRF). The cookie is a session cookie and is deleted when all the browser windows are closed.

No IP addresses are collected. The respective functions have been disabled.

(b) Special categories of personal data:

- Since the survey is focussed on the reporting of representatives on their communities, we are not asking about any personal experiences or opinions. However, since we are using open-ended questions, the respondents may reveal data on their personal racial or ethnic origin, political opinions, religious beliefs or data concerning their health or sexual orientation. In this very unlikely case, this data will be removed and not analysed.

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

The data will be processed as follows:

- The data will be anonymously collected by means of an online questionnaire which will be programmed in Lime Survey software.
- The data will be stored in the SQL database on FRA servers (located in Spain) wherefrom they will be exported into a data set.
- The data set will be securely kept (protected by password).
- The data set will analysed by FRA staff in such a manner that your responses cannot be identified and linked to an individual person.
- The results of the analysis and anonymized quotes will become publicly available, it will not be possible to link your responses to an individual person. or organisation.

3a. Information you provide us:

Apart from the above, we will not collect the personal data of the respondents (not necessarily the recipients that received the invitation to the survey, since they can respond themselves, or forward the invitation to another representative or relevant person within the organisation). However, the respondents will be asked to indicate the name of the organisation they are representing in order to avoid double entries, but they will not be asked to provide any personal information (name, email address, age, etc.).

There is no possibility of linking personal information (name or email address) with the answers provided in the survey due to the open link provided in the invitation. The name of the organisation will not be made public in the report and will be deleted after the publication of the report.

3b. Information we collect about you.

In order to carry out the surveys, FRA uses the online tool LimeSurvey which, for functional purposes, collects and processes some necessary personal data such as session cookies as indicated above..

3c. Information we receive from other sources:

The contact details of the representatives of the Jewish community organisations have been obtained by FRA from previous professional relations with FRA in the past or will be compiled through desk research in the public domain (e.g. organisations' websites).

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 Justice, Digital and Migration Unit is responsible for this processing operation.

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

This processing operation is necessary to achieve the Agency's goal, as stated in Article 2 of Regulation (EC) No 168/2007, amended by Council Regulation (EU) 2022/555 (FRA's founding Regulation), to provide its stakeholders, including Union institutions and EU Member States, with assistance and expertise relating to fundamental rights, including tasks described in Article 4(1)(a), (c) and (d).

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

Moreover, the incidental processing of special categories of personal data as indicated in Section 2 above is lawful under Article 10.2.(a) of Regulation 2018/1725, as specific consent has been given by the data subjects and it is stored.

6. Who can see your data?

Your data will be processed and can be accessed by designated FRA staff working on the project. Access is restricted to authorized staff members and only these members have access rights.

LimeSurvey is hosted in the servers of FRA's external web hosting contractor Mainstrat SLL and therefore, restricted staff of the contractor might have access, for technical reasons, to the survey. FRA external contractors are bound by specific confidentiality clauses and by the provisions of Regulation 2018/1725.

7. Do we share your data with other organisations?

The data is processed by the Agency only. The Agency does not intend to share your personal data (contact details) with any third party or organisation.

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 January 2023.

10. How long do we keep your data?

The anonymised dataset will be stored indefinitely by FRA. The contact details of the recipients of the survey invitations (who are not necessarily the respondents) will be stored separately by FRA until the end of the project (end of 2024). It will not be possible to link the contact detail of the recipients of the survey invitations and the survey data.

11. How can you control your data?

Under Regulation (EU) 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 antisemitism-survey@fra.europa.eu.

11.1. The value of your consent

Since your participation in the survey is not mandatory, you might stop the completion of the survey. However, once your responses have been submitted, as the data is collected anonymously by the Agency, the Agency will not be able to identify any respondent in the dataset after the submission of the survey by the respondent. Hence, the Agency will not be in the position to modify and/or delete any additional data stored, which will be already anonymised unless the further information is provided by the data subject.

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 the data which is not collected anonymously, as well as obtain copies of your data undergoing processing.

Please note that the data is collected anonymously by the Agency, and the Agency will not be able to identify any respondent in the dataset after the submission of the survey by the respondent. Hence, the Agency will not be in the position to modify and/or delete any additional data stored, which will be already anonymised unless the further information is provided by the data subject.

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. Please note that the data is collected anonymously by the Agency, and the Agency will not be able to identify any respondent in the dataset after the submission of the survey by the respondent. Hence, the Agency will not be in the position to modify and/or delete any additional data stored, which will be already anonymised unless the further information is provided by the data subject.

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.

Please note that the data is collected anonymously by the Agency, and the Agency will not be able to identify any respondent in the dataset after the submission of the survey by the respondent. Hence, the Agency will not be in the position to modify and/or delete any additional data stored, which will be already anonymised unless the further information is provided by the data subject.

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. Please note that the data is collected anonymously by the Agency, and the Agency will not be able to identify any respondent in the dataset after the submission of the survey by the respondent. Hence, the Agency will not be in the position

to modify and/or delete any additional data stored, which will be already anonymised unless the further information is provided by the data subject.

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 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 specified persons 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 antisemitism-survey@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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