

**RECORD OF PROCESSING ACTIVITY
ACCORDING TO ARTICLE 31 REGULATION 2018/1725¹
NOTIFICATION TO THE DATA PROTECTION OFFICER**

NAME OF PROCESSING OPERATION²:

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

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Part 1 (Publicly available)

1) Controller(s)³ of data processing operation (Article 31.1(a))
<p>Controller: European Union Agency for Fundamental Rights (FRA) Schwarzenbergplatz 11, A-1040 Vienna, Austria Telephone: +43 1 580 30 – 0 Email: contact@fra.europa.eu Organisational unit responsible⁴ for the processing activity: Institutional Cooperation & Networks Unit Contact details: Charter@fra.europa.eu Data Protection Officer (DPO): dpo@fra.europa.eu</p>

2) Who is actually conducting the processing? (Article 31.1(a))⁵
<p>The data is processed by the FRA itself <input checked="" type="checkbox"/></p> <p>The data is processed also by a third party (contractor) <input checked="" type="checkbox"/></p> <p>27 FRANET contractors through an existing framework contract</p>

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32018R1725>

² **Personal data** is any information relating to an identified or identifiable natural person, i.e. someone who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity. This information may, for example, be the name, date of birth, a telephone number, biometric data, medical data, a picture, professional details, etc.

Processing means any operation or set of operations which is performed on personal data, whether or not by automatic means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

³ In case of more than one controller (e.g. joint FRA research), all controllers need to be listed here

⁴ This is the unit that decides that the processing takes place and why.

⁵ Is the FRA itself conducting the processing? Or has a provider been contracted?

Contact point at external third party:

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Slovenia

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3) Purpose of the processing (Article 31.1(b))

Why are the personal data being processed? Please provide a very concise description of what you intend to achieve with the processing operation. Specify the rationale and underlying reason for the processing and describe the individual steps used for the processing. If you do this on a specific legal basis, mention it as well (e.g. staff regulations for selection procedures).

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.

4) Description of the categories of data subjects (Article 31.1(c))

Whose personal data are being processed?

National legal experts on the EU Charter of Fundamental Rights

Relevant contract persons of national legal/judicial training actors (e.g. national institutions, organisations, bodies, associations, foundations, universities, law schools)

5) Categories of personal data processed (Article 31.1(c))

Please tick all that apply and give details where appropriate

(a) General personal data (add or delete as appropriate – the data in the brackets are only examples)

Personal details, i.e. first name(s), surname(s), academic title(s), nationality, country of expertise, mother tongue

Contact details, i.e. professional email address

Education & Training details, i.e. academic title(s) incl. educational institution(s), biography, languages spoken at minimum C1 level, proficiency in/mastery of English (according to [CEFR](#)), Charter-related expertise and specialisation area and publications;

Employment details, i.e. current profession, job title, type of work, name of employer, unit/department, years of professional experience, relevant former professions and employers

Financial details

Family, lifestyle and social circumstances

Goods or services provided (capacity-building training, training material, development or contribution to Charter-related courses incl. e-courses, services, research and publications regarding) and policy advice, examples for public visibility

Other (please give details):

(b) Special categories of personal data (Article 10)

The personal data collected reveal:

Racial or ethnic origin (revealed by photographs)

Political opinions

Religious or philosophical beliefs

Trade union membership

Genetic, biometric or data concerning health

Information regarding an individual's sex life or sexual orientation

N/A

(c) Personal data relating to criminal convictions and offences (Article 11)

Criminal record (or similar, e.g. declaration of good conduct)

N/A

6) Recipient(s) of the data (Article 31.1 (d))

*Recipients are all parties who have access to the personal data. Who will have access to the data **within** FRA? Who will have access to the data **outside** FRA? No need to mention entities that may have access in the course of a particular investigation (e.g. OLAF, EO, EDPS).*

Designated **FRA** staff members:



The personal data are stored in an electronic database. Access to the database is restricted to authorised 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.

Recipients **outside** FRA:



- Selected staff of FRANET contractors who are bound by confidentiality clauses
- Interested public via publication on FRA website and/or learning platform
- Relevant stakeholders acting as multipliers of Charter capacity-building 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) Transfers to third countries or international organisations (Article 31.1 (e))⁶

If the personal data are transferred outside the European Economic Area or to international organisations, this needs to be specifically mentioned, since it increases the risks of the processing operation.

Transfer outside of the EU or EEA

Yes



No



If yes, specify to which country:

Transfer to international organisation(s)

Yes



No



If yes specify to which organisation:

Legal base for the data transfer

Transfer on the basis of the European Commission's adequacy decision (Article 47)

Transfer subject to appropriate safeguards (Article 48.2 and .3), specify:

- a) A legally binding and enforceable instrument between public authorities or bodies.

Standard data protection clauses, adopted by

⁶ Processor in a third country using standard contractual clauses, a third-country public authority you cooperate with based on a treaty. If needed, consult your DPO for more information on how to ensure safeguards.

- b) the Commission, or
 c) the European Data Protection Supervisor and approved by the Commission, pursuant to the examination procedure referred to in Article 96(2) .
 d) Binding corporate rules, Codes of conduct, Certification mechanism pursuant to points (b), (e) and (f) of Article 46(2) of Regulation (EU) 2016/679, where the processor is not a Union institution or body.

Subject to the authorisation from the European Data Protection Supervisor:

Contractual clauses between the controller or processor and the controller, processor or the recipient of the personal data in the third country or international organisation.

Administrative arrangements between public authorities or bodies which include enforceable and effective data subject rights.

Transfer based on an international agreement (Article 49), specify:

Derogations for specific situations (Article 50.1 (a) –(g))

N /A

Yes, derogation(s) for specific situations in accordance with article 50.1 (a) –(g) apply
 In the absence of an adequacy decision, or of appropriate safeguards, transfer of personal data to a third country or an international organisation is based on the following condition(s):

(a) The data subject has explicitly consented to the proposed transfer, after having been informed of the possible risks of such transfers for the data subject due to the absence of an adequacy decision and appropriate safeguards

(b) The transfer is necessary for the performance of a contract between the data subject and the controller or the implementation of pre-contractual measures taken at the data subject's request

(c) The transfer is necessary for the conclusion or performance of a contract concluded in the interest of the data subject between the controller and another natural or legal person

(d) The transfer is necessary for important reasons of public interest

(e) The transfer is necessary for the establishment, exercise or defense of legal claims

(f) The transfer is necessary in order to protect the vital interests of the data subject or of other persons, where the data subject is physically or legally incapable of giving consent

(g) The transfer is made from a register which, according to Union law, is intended to provide information to the public and which is open to consultation either by the public in general or by any person who can demonstrate a legitimate interest, but only to the extent that the conditions laid down in Union law for consultation are fulfilled in the particular case

8) Retention time (Article 4(e))

How long will the data be retained and what is the justification for the retention period? Please indicate the starting point and differentiate between categories of persons or data where needed (e.g. in selection procedures candidates who made it onto the reserve list vs. those who didn't).

Are the data limited according to the adage "as long as necessary, as short as possible"?

The Agency will keep the personal data for a period of 5 years, which is necessary for the project/research purpose. After that date, FRA may contact the data subject again and ask for permission to keep their data for an additional period to be defined at that time and if the purpose of the data processing is still given.

9) Technical and organisational security measures (Article 31.1(g))

Please specify where/how the data are stored during and after the processing; please describe the security measures taken by FRA or by the contractor

How is the data stored?

Document Management System (DMS)	<input checked="" type="checkbox"/>
FRA network shared drive	<input checked="" type="checkbox"/>
Outlook Folder(s)	<input checked="" type="checkbox"/>
CRM	<input checked="" type="checkbox"/>
Hardcopy file	<input checked="" type="checkbox"/>
Cloud used by FRA	<input checked="" type="checkbox"/>
FRA website and/or FRA learning platform	<input checked="" type="checkbox"/>
Servers of external provider	<input checked="" type="checkbox"/>
The data is stored in the EU and no transferred outside EU.	

10) Exercising the rights of the data subject (Article 14 (2))

How can people contact you if they want to know what you have about them, want to correct or delete the data, have it blocked or oppose to the processing? How will you react?

See further details in the Data Protection notice: e-mail to Charter@fra.europa.eu

Data subject rights

- Right of access
- Right to rectification
- Right to erasure (right to be forgotten)
- Right to restriction of processing
- Right to data portability
- Right to object
- Notification obligation regarding rectification or erasure of personal data or restriction of processing
- Right to have recourse
- Right to withdraw consent at any time