

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

NAME OF PROCESSING OPERATION²: Research and data collection in the context of the implementation of the FRANET framework contracts 2022-2027 – Data collection and research services on fundamental rights issues

Reference number: DPR-2024-209 (to be completed by the DPO)
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Part 1 (Publicly available)

1) Controller(s)³ of data processing operation (Article 31.1(a))
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: Contact details: franet@fra.europa.eu Data Protection Officer (DPO): dpo@fra.europa.eu

2) Who is actually conducting the processing? (Article 31.1(a))⁵
The data is processed by the FRA itself <input checked="" type="checkbox"/>
The data is processed also by a third party (contractor) <input checked="" type="checkbox"/>

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?

The contractors below have been awarded a framework contract (FRANET) for the provision of Data collection and research services on fundamental rights issues following a public procurement procedure led by FRA. Therefore, they could be processors of FRA when implementing specific contracts/order forms during the implementation of the framework contract (from 2022 to 2027). In addition, the FRANET contractors below may use different sub-processors (i.e., experts acting as subcontractors, companies providing online conference tools, etc.) to implement the respective specific contracts. Data subjects will be informed accordingly in the respective data protection notice and/or consent form.

Country	Contractor(s)
Austria	European Training and Research Centre for Human Rights and Democracy - ETC Graz
Belgium	Vrije Universiteit Brussel (VUB)
Bulgaria	Project One - Center for the Study of Democracy
Croatia	Centre for Peace Studies (CPS) Human Rights House Zagreb (HRH) B.a.b.e.Be Active Be Emancipated
Cyprus	Educational Excellence Cooperation (EDEX) - University of Nicosia Symfiliosi
Czechia	Institute of Sociology of the Czech Academy of Sciences
Denmark	The Danish Institute for Human Rights (DIHR)
Estonia	Tallinn University
Finland	Åbo Akademi University - Institute for Human Rights University of Turku - Faculty of Law
France	French Institute for Human Rights and Civil Liberties
Germany	German Institute for Human Rights (GIHR)
Greece	Centre for European Constitutional Law-Themistokles and Dimitris Tsatsos Foundation (CECL) Hellenic League for Human Rights (HLHR) Antigone - Information and Documentation Center on Racism, Ecology, Peace and Non Violence

Hungary	1 st contractor: Ludovika University of Public Service Office of the Commissioner for Fundamental Rights 2 nd contractor: Milieu Consulting
Ireland	Lattanzio KIBS
Italy	Giacomo Brodolini Foundation
Latvia	Baltic Human Rights Society Riga Graduate School of Law
Lithuania	Mykolas Romeris University
Luxembourg	University of Luxembourg
Malta	Aditus foundation
Netherlands	Art. 1 Dutch Knowledge Centre on Discrimination RADAR, Regional Anti-discrimination Action Council
Poland	Helsinki Foundation for Human Rights
Portugal	Centre for Social Studies
Romania	Human European Consultancy
Slovakia	Center for the Research of Ethnicity and Culture
Slovenia	The Peace Institute Institute of Criminology at the Faculty of Law of Ljubljana
Spain	Comillas Pontifical University - University Institute of Studies on Migration
Sweden	The Raoul Wallenberg Institute of Human Rights and Humanitarian Law
EU International comparative analysis	Grimaldi Studio Legale
Albania	IDRA Research & Consulting
North Macedonia	European Policy Institute

Serbia

Institute of Social Sciences

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 collection of personal data may be necessary during the implementation of the FRANET framework contract. The processing of personal data will be particularly needed when FRANET framework contractors are asked to conduct fieldwork research or support FRA in organising activities at national level.

The research and data collection will be carried out by some or all contractors mentioned in section 2 above. This record of processing covers all data collection activities likely to be conducted under the implementation of the framework contract and are described below.

The research and data collection will be performed through desk research but can also be conducted through:

- (a) semi-structured online or in presence in-depth individual interviews;
- (b) online or in presence focus group discussions or group interviews;
- (c) online surveys;
- (d) observation (direct or unobtrusive).
- (e) support to the organisation of meetings, trainings, or events at national or local level. This is done in the context of facilitating the dissemination and visibility of FRA's research findings.

The research and data collection exercises will take place in accordance with the planned projects included in the FRA's Single Programming Documents.

The research and data collection exercises involving personal data processing are to gather primary data and collect views and experiences of individuals in the context of a specific project.

Stakeholders and/or other individuals or organisations to be involved in the research and data collection exercise will be identified by FRANET contractors following guidance provided by FRA in the guidelines of each specific service requested; additionally, FRA may provide the contractors with contact details of individuals (name, surname, email and telephone number) to be contacted in the context of a specific project.

The activities involving processing of personal data which the FRANET contractors will undertake to deliver the requested service as well as the means and methods used for the processing will be described in a project dedicated data protection notice and/or the respective consent form. The processing of personal data for the purposes of

implementing the respective framework contracts will take place within the European Union, except in the cases of the framework contracts for Albania, North Macedonia and Serbia, for which the processing activities will take place in the respective country.

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

Whose personal data are being processed?

- | | |
|--|-------------------------------------|
| FRA staff | <input checked="" type="checkbox"/> |
| Non-FRA staff (FRA's stakeholders, and/or other individuals like interviewees, participants in focus groups, etc...) | <input checked="" type="checkbox"/> |

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 (name, surname, gender) | |
| Contact details (email address, mobile number) | <input checked="" type="checkbox"/> |
| Education & Training details | <input checked="" type="checkbox"/> |
| Employment details (function, work experience) | <input checked="" type="checkbox"/> |
| Financial details (e.g. bank account information for the purposes of reimbursement of travel/accommodation expenses of potential participants/speakers in conferences organised by FRANET contractors during the implementation of the framework contract) | <input checked="" type="checkbox"/> |
| Family, lifestyle and social circumstances | <input checked="" type="checkbox"/> |
| Goods or services provided | <input type="checkbox"/> |
| Other (please give details): | <input checked="" type="checkbox"/> |

In the context of the online interviews, group discussions or online surveys, IP addresses, cookies, metadata or information about participants' devices might be collected by the online tools used to carry out the activity.

The specific data collected by the online tool selected by each contractor to carry out the stakeholders' consultation will be indicated in the respective data protection notice and consent form, if required.

In the context of interviews, focus group discussions and online surveys, opinions and views provided by the might also be collected.

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

In some cases, the research activities may require the processing of any or some of the special categories of data below, which will be specified in the respective notice and consent form.

Moreover, in other cases, when conducting interviews and/or focus groups, the responses provided by the data subjects as well as the image of respondents if online tools are used might incidentally reveal any or some of the following special categories of data:

Racial or ethnic origin	<input checked="" type="checkbox"/>
Political opinions	<input checked="" type="checkbox"/>
Religious or philosophical beliefs	<input checked="" type="checkbox"/>
Trade union membership	<input checked="" type="checkbox"/>
Genetic, biometric or data concerning health	<input checked="" type="checkbox"/>
Information regarding an individual's sex life or sexual orientation	<input checked="" type="checkbox"/>
N/A	<input type="checkbox"/>
 (c) Personal data relating to criminal convictions and offences (Article 11)	
Criminal record (or similar, e.g. declaration of good conduct)	<input type="checkbox"/>
N/A	<input type="checkbox"/>

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

A restricted number of FRA staff responsible for the implementation of the project will have access to the collected personal data.

Recipients **outside** FRA:

Selected staff members of FRANET contractors, which are bound by specific contractual clauses for any processing operations of personal data on behalf of FRA, and by the confidentiality obligations deriving from Regulation (EC) 2018/1725).

The personal data collected for a specific project will only be available to and assessed by FRANET contractors and/or their respective sub-processors, which are also bound by contractual and confidentiality obligations.

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

However, if the online tool used by the respective FRANET contractor to carry out the interviews are from a US based company, it cannot be completely discarded that limited personal data is transferred. Such transfer, if any, will fall under the adequacy decision for the EU-US [Data Privacy Framework adopted by the European Commission on 10 July 2023](#).

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)

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.

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

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 specific data retention time will be indicated in the project dedicated data protection notice. As a general rule personal data collected while implementing a specific project will be kept for 24 months after the final date of implementation of the project indicated in the respective FRANET specific contracts, to be able to use the data when drafting the comparative reports. All data held by FRA and contractors will then be deleted. Anonymised research material, e.g. reporting templates, will be kept indefinitely.

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 type="checkbox"/> |
| Hardcopy file | <input checked="" type="checkbox"/> |
| Cloud (MS 365) | <input checked="" type="checkbox"/> |
| Servers of external provider | <input checked="" type="checkbox"/> |

Other (please specify):

The framework contracts signed by the contractors mentioned in section 2 above specify that the personal data can only be held in data centres located with the territory of the European Union and the European Economic Area.

The framework contractors for Albania, North Macedonia and Serbia are based in their respective countries. Therefore, the data collected for the purpose of implementing those framework contracts may be held in data centres located in Albania, North Macedonia and Serbia, respectively.

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?

Specific contacts details (email, functional mailbox) will be provided in the Data Protection notice

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