

PRIVACY NOTICE

The Agency would like to inform external stakeholders (hereinafter referred to as data subjects) participating in the evaluation of FRA's reports on Surveillance by intelligence services: fundamental rights safeguards and -remedies in the EU (2015 and 2017) that the following data are being processed by FRA personnel. The evaluation process includes an online questionnaire.

Stakeholders' evaluation of FRA's project on surveillance by intelligence service.

Purpose: The purpose of the processing of the personal data is:

To collect the external stakeholders' opinion on FRA's reports on Surveillance by intelligence services. The data will be collected through an online questionnaire in order to assess the usefulness of the project. In case of non-responses, FRA staff may contact data subjects by telephone.

In the final report, data subjects will remain anonymous. FRA will be aggregating answers in a way that will not allow one specific response and statement to be linked to an individual. This is aligned with the overall aim of the questionnaire, which is to collect external stakeholders' opinion on FRA's reports on Surveillance by intelligence services: fundamental rights safeguards and remedies in the EU (2015 and 2017).

Description of Data: The data processed consist of name, surname, email address and the personal opinions of the external stakeholders on FRA's reports on Surveillance by intelligence services.

Data Controller: The Data Controller is the Agency. The Head of Freedoms and Justice is the responsible for this processing operation. The data is available upon request to the Head of Freedoms and Justice Department.

Legal Basis: The Legal basis of the processing operation for which the data are intended is Article 5 (a) and (d) of Regulation (EC) No 45/2001.

Access to the Data: Data can be accessed by FRA project members assigned to this activity. The Agency hosts the online survey on an external server based within the EU. The data transfer is encrypted by using the https:// protocol. The external contractor is bound by the provisions of the previous contract ensuring compliance of Regulation 45/2001.

Data Subjects are informed of the following rights in line with Articles 13, 14, 15, 16, 17 and 18 of Regulation (EC) No 45/2001:

- **Right of access** – Data subject has the right to access his or her personal data at any time, before 22 December 2017, and free of charge, by sending an email request to the planning@fra.europa.eu. The Agency will address the request within 15 working days from the receipt of the request.

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- **Right to rectify** – Data subjects have the right to rectify their data without delay of inaccurate or incomplete personal data at any time before 22 December 2017. The Agency will address the request within 15 working days from the receipt of the request.
- **Right to block** – Data subjects have the right to block their data at any time before 22 December 2017 by sending an email to the planning@fra.europa.eu, where their accuracy is contested by the data subject; or the controller no longer needs them for the accomplishment of its tasks but they have to be maintained for purposes of proof; or the processing is unlawful and the data subject opposes their erasure and demands their blocking instead. The Agency will address the request within 15 working days from the receipt of the request.
- **Right to erasure** – Data subjects have the right to request to the controller at any time before 22 December 2017 the erasure of their data, if their processing is unlawful, particularly where the provisions of Sections 1, 2 and 3 of Chapter II of Regulation 45/2001 have been infringed, by sending an e-mail to planning@fra.europa.eu. The Agency will address the request within 15 working days from the receipt of the request.
- **Right to obtain notification to third parties** – Data subjects have the right obtain from the controller the notification to third parties to whom the data have been disclosed of any rectification, erasure or blocking pursuant to Article 13 to 16 of Regulation 45/2001, at any time unless this proves impossible or involve a disproportionate effort. The Agency will address the request within 15 working days from the receipt of the request.
- **Right to object** – Data subjects have the right:
 - To object at any time before 22 December 2017 by sending an email request to the planning@fra.europa.eu, on compelling legitimate grounds relating to their particular situation, to the processing of data relating to them, except in the cases covered by Article 5(b), (c) and (d) of Regulation 45/2001. Where there is a justified objection, the processing in question may no longer involve those data. The Agency will address the request within 15 working days from the receipt of the request.
 - To be informed before personal data are disclosed for the first time to third parties or before they are used on their behalf for the purposes of direct marketing, and to be expressly offered the right to object free of charge to such disclosure or use. The Agency will address the request within 15 working days from the receipt of the request.
- **Right to have recourse** – Pursuant Article 11 of Regulation 45/2001, data subjects have the right to have recourse at any time to the European Data Protection Supervisor: <http://www.edps.europa.eu>.

If the data subjects have any queries concerning the processing of their personal data, they may address them to the Head of Freedoms and Justice Department, by contacting the planning@fra.europa.eu.

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Date when processing starts: 18 October 2017.

Place of storage: External server ensuring compliance with Regulation 45/2001 and secure area of the FRA fileserver; files will be password protected.

Retention policy: The collected online questionnaire data will be retained until 22 December 2017; aggregated anonymised data will be kept until the 30 June of 2018.