

Fundamental Rights in Corporate Sustainability and Due Diligence

The European Union Agency for Fundamental Rights (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 it sets forth your privacy rights. We recognise that information privacy is an ongoing responsibility, and we will update this notice where necessary.

For more detailed information on the processing of your personal data in the context of FRA projects within FRANET framework contracts, please consult our [General Record of processing activities](#).

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1. Why do we process personal data?

The purpose of the processing of personal data is the collection of data and information for a research project titled “Fundamental Rights in Corporate Sustainability and Due Diligence”. Under the existing legislative framework on corporate sustainability and human rights due diligence, FRA must provide evidence-based advice to the European Commission and other stakeholders.

This project is intended to provide the Agency with research evidence on the current situation of corporate sustainability and due diligence, in selected EU Member States, i.e. France, Germany, Hungary, The Netherlands, Luxembourg, Ireland, Denmark, Poland, Finland, Belgium, Italy. It will serve to increase the understanding of fundamental rights challenges in the sustainability field, support development of practical guidelines, contribute to implementation of EU corporate sustainability framework and help ensuring policy coherence. It will also inform future policy and legislative developments in this field including revision of the relevant EU directives and regulation. Based on the research findings, FRA will support development of guidance that will help Member States to achieve high standards of fundamental rights protection in the area of corporate sustainability. In this way, the Agency hopes to inform the implementation of current and future EU policy and law relating to the green transition and EU sustainability agenda.

This project consists of a mix of fieldwork and desk research (Service Request 46), including interviews (face to face or online) with technical experts, professional from public and private sector, such as policymakers, judges, legal practitioners, auditors, consultants representing companies, risk managers but also representative of rights-holders such as NHRIs or civil society organisations, in February to July 2025 carried out by FRANET across the aforementioned 11 EU Member States. The information from the interviews will feed into the preparation of a report to be published in 2026 and targeted inputs to the EU institutions, EU Member States and other national-level practitioners as they discuss amendments to and implementation of EU corporate sustainability framework.

The information gathered will help FRA to gain concrete, contextual in-depth information via qualitative research about the practical application and validity of currently applicable human rights due diligence laws, policies and methodologies in the selected EU Member States.

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

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

- (a) General personal data:

- Personal details: name, surname, age range, gender,
 - Contact details: email address and mobile number
 - Education details
 - Employment details (position/function, work experience, employer, opinions)
 - Family, lifestyle and social circumstances (this type of personal data might be incidentally revealed by the responses given during the interviews and/or by the image if the interviews are carried out online and videorecorded)
 - Other:
 - [TO BE ADDED OR REMOVED BY THE RESPECTIVE FRANET CONTRACTOR IF APPLICABLE: if the interviews with the relevant persons take place online, IP addresses, cookies, metadata or information about participants' devices might be collected by the online tool [insert here the name of the online tool and, if available, the link to the respective privacy notice of the tool provider] used to carry out the interview.]
 - As the interviews will be video and/or audio recorded (upon consent) for accuracy and note-taking purposes, voice and/or image of the participant may be processed.
- (b) Special categories of personal data may be incidentally revealed during the interviews (both by the responses of participants and through the image showed during online interviews):
- data revealing racial or ethnic origin
 - political opinions
 - religious or philosophical beliefs
 - data concerning health or sexual orientation

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

3a. Information you provide us:

We collect your personal data mentioned above directly from you through the consent form that will be provided to you before the interview, and during the interviews using a semi-structured questionnaire, which will be conducted by FRA's eleven FRANET contractors through digital channels (e.g. video call) or face-to-face, in the countries covered by the research (see Section 1 above).

For accuracy and note taking purposes, interviews will be audio- and/or video-recorded and fully transcribed upon your consent. Your name and organisation will not appear in the final report and all recordings will be destroyed as indicated in section 10 below. Therefore, it will not be possible to identify you. Moreover, at any point during the interview, you can indicate that you do not wish to be recorded and we will interrupt the recording.

3b. Information we collect about you:

Your IP address, connection details, cookies, and/or device information might be collected if the interviews take place online, as indicated in Section 2 above. In this context, FRANET contractors are requested to inform interviewees before the interview takes place about which online conferencing tool they will use for the interview as well as if the live captions option to transcribe the interview is activated and to provide a link to the tool's website where the tool's data protection policy can be found.

3c. Information we receive from other sources:

FRANET contractors will use information gathered through the desk research component of the project (SR 46) to identify the contact details of the persons to be interviewed by searching online for publicly available contact details, or from authorities of the respective EU Member State or other organisations or entities. FRANET contractors could also get contact details via their own professional networks, or via FRA (subject to receiving consent for sharing their contact details with the FRANET contractors).

4. Who is responsible for processing your personal data?

The Agency acts as controller for this processing operation, which means that it is the legal entity responsible for the processing of your personal data for determining the objectives of such processing. Specifically, the Head of Equality, Roma and Social Rights Unit is responsible for this processing operation.

The eight [FRANET contractors](#) will act as FRA's data processors and will collect the data on behalf of FRA as specified under section 3 above.

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

The processing operation is carried out in the public interest and it is necessary to achieve the Agency's objective, as stated in Article 2 of its founding 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 its tasks described in Article 4 (1)(a), (c) and (d). The project is also included in FRA's Single Programming Document 2025 – 2027 Fiche A.2.5., available [here](#).

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

In addition, since participation in the above-mentioned interviews is not mandatory, we will request your consent to participate by means of a consent form, to the audio and/or video recording of the interviews as well as for the automatic transcription of the online interviews, if applicable, for accuracy and quality control purposes.

Therefore, the processing of the personal data is also in accordance with Article 5.1.(d) of Regulation (EU) No 2018/1725.

The incidental processing of special categories of data (e.g. video revealing racial/ethnic origin) is lawful under Article 10(2)(a) of Regulation 2018/1725. Explicit consent will be requested on the consent form.

6. Who can see your data?

Your data can be accessed by the designated staff of the FRANET contractors (and, in some cases, by their sub-processors) carrying out the interviews. Furthermore, the data can be accessed by staff members of FRA's Equality, Roma and Social Rights Unit and FRA staff working on that project. Access is restricted to authorised staff members and only these members have access rights to open the files.

FRANET contractors are bound by specific contractual clauses for any processing operations on behalf of FRA, and by the confidentiality obligations deriving from Regulation (EU) 2018/1725).

7. Do we share your data with other organisations?

Personal data is processed by the Agency only. In case 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 Organisations?

Your data will not be transferred to third countries or International Organisations.

[OR, IF APPLICABLE, TO BE ADDED OR REMOVED BY THE RESPECTIVE FRANET CONTRACTOR:
The online tool [insert the name of the online tool] used to carry out the interviews is from a US based company, therefore it cannot be completely discarded that limited personal data are transferred to the US. 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].

9. When will we start the processing operation?

We will start the processing operation in March 2025.

10. How long do we keep your data?

The personal data referred to in section 2 above, as well as the consent forms and audio/video recordings of the consent, will be kept for 24 months after the final date of implementation of the project indicated in the respective FRANET contracts, to be able to use the data when drafting the comparative report. All data held by FRA and contractors will then be deleted. Anonymised research material, e.g. reporting templates, will be kept indefinitely.

11. How can you control your data?

Under Regulation 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: FRA-BHR@fra.europa.eu and/or to dpo@fra.europa.eu.

11.1. Do we need your consent

Since your participation is not mandatory, we need proof that you consented to participate in the interview as well as to the audio and/or video recording and, if applicable, [automatic] transcription of the interview and to the incidental processing of special categories of personal data. Consent will be collected before the interview via a separate consent form. You have the right to withdraw your consent at any time, and we will either delete your data or restrict or stop its processing. All processing operations up until the withdrawal of consent will still be lawful.

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 has been disclosed and their storage period. Furthermore, you can have access to such data, as well as obtain copies of your data undergoing processing.

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.

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.

d. Can you delete your data?

You have the right to ask us to delete your data when the personal data is 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.

e. Are you entitled to data portability?

Data portability is a right guaranteed under Regulation 2018/1725 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 automated decision-making including profiling.

12. What security measures are taken to safeguard your personal data?

The Agency, as well as the eight FRANET contractors acting on its behalf as processors within this processing operation, have several security controls in place to protect your personal data from unauthorised access, use or disclosure. We keep your data stored on our internal servers with limited access to a specified audience only.

13. What can you do in the event of a problem?

- a) Data subjects can reach out directly to the Agency by sending an email to FRA-BHR@fra.europa.eu and ask us to take action.
- b) If you obtain no reply from the Agency or if you are not satisfied with it, contact the FRA Data Protection Officer (DPO) at dpo@fra.europa.eu.
- c) You can lodge a complaint with the EDPS at any time 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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