

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

NAME OF PROCESSING OPERATION²: Fundamental Rights Dialogue, taking place on 7 May 2022 in Paris

Reference number: DPR-2022-154
Creation date of this record: 28/04/2022
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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 Contact: https://fra.europa.eu/en/contact Organisational unit responsible⁴ for the processing activity: Communications and Events Unit Contact details: event@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"/>

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?

Social media platforms ([YouTube](#)), which may be used by participants but will not collect data on behalf of FRA, are separate controllers for the personal data they process

Data might also be processed by service providers who support the organisation of the Event through a framework contract with the Representation of European Commission in France and/or FRA's framework contractor(s) for audio visual services for the post production of the highlights videos related to promotional activities (for these activities, please refer to Section 3 below)

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).

FRA is responsible together with the Representation of the European Commission in France for the overall organisation of the Fundamental Rights Dialogue, the communication with the plenary speakers and the moderator before and after the end of the event, as well as communication and promotion of the event.

The purpose of the processing of personal data is to identify and invite plenary speakers, moderator and onsite participants, reporting on the event, as well as carrying out promotional activities (e.g. highlights video, news items and social media clips).

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

Whose personal data are being processed?

FRA staff – participants to the event

Non-FRA staff (speakers, public audience)

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

Please mention all that apply and give details where appropriate

Only the following personal data necessary for the processing operation described above will be collected:

- For plenary speakers and moderator of the event, the data collected will be personal details (name, surname) , contact details (email address), and employment details (role and organisation) prior to the event, as well as audio and video recording and pictures, based on their prior consent
- For participants from the audience during the event, the data collected will include audio and video recording and pictures which will be broadcasted live and used for promotional activities (e.g. highlights video, news items and social media clips) after the event.
- The Event will also be published as a livestream broadcasted on YouTube Live. It will be available as ‘video on demand’ (hereinafter” VOD”) after the Event on these different platforms. Recorded chat messages on the platforms YouTube will remain available on the VOD functionality. (See [YouTube terms and conditions](#) and [Google privacy notice](#)). Those who want to engage with the Chat (Live) or via the Comments functionality, should be aware that using the YouTube live chat whilst being logged in with a regular Gmail account, will mean that the user’s real name will be shown. This can be changed in the display settings of your account ([direct link](#)).

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 (please specify)

- selected staff in the Communication & events Unit and its Head of Unit

Designated persons **outside** FRA: (please link specify)

Access to personal data is granted to restricted number of staff of the service providers who support the organisation of the Event through a framework contract with the Representation of European Commission in France. The recording of the Event might be shared with FRA’s framework contractor for audio visual services for the post production of the highlights videos related to the above mentioned promotional activities. These service providers are bound by confidentiality clauses.

Since FRA is tasked with promoting dialogue with civil society in order to raise public awareness of fundamental rights and actively disseminate information about its work, under Article 4(1)(h) of the aforementioned amended founding Regulation, personal data of speakers and participants (pictures, video or audio recording) are distributed to a wider public (intranet or Internet) for visibility purposes. More specifically, personal data of speakers and participants at the Event (pictures, video and audio recordings) and the

names of plenary speakers/moderator may be published or web streamed on the internet and intranet site of FRA, and FRA's social media accounts.

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

In the context of the platforms, which the participants may choose to use, transfers outside of the EU and EEA might take place. Please refer to the latest versions of the respective terms and conditions and privacy notices (links provided under Sections 2 and 5 above).

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) EU-US Privacy Shield

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.

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.

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"?

Personal data will be kept after the Event to ensure implementing necessary follow-up activities with regard to the purpose(s) of the processing of personal data as well as for its related management. This data will be retained by FRA until 22 December 2023.

Photos, audio and video recordings are stored in FRA Communication and events Unit drive for three years. Within this time, the files to be used for communication purposes and/or be archived for historical purposes shall be selected. The remaining files shall be deleted.

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?

- | | |
|------------------------------|-------------------------------------|
| FRA network shared drive | <input checked="" type="checkbox"/> |
| Outlook Folder(s) | <input checked="" type="checkbox"/> |
| CRM | <input type="checkbox"/> |
| Hardcopy file | <input type="checkbox"/> |
| Cloud (DMS) | <input checked="" type="checkbox"/> |
| Servers of external provider | <input checked="" type="checkbox"/> |
| Other (please specify): | |

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 privacy notice: e-mail to event@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

Part 2 – Compliance check and risk screening (internal)

11) Lawfulness of the processing (Article 5(a)–(e))⁷: Processing necessary for:
Mention the legal basis which justifies the processing and assess that the purposes specified are purposes specified, explicit, legitimate.

⁷ Tick (at least) one and explain why the processing is necessary for it. Examples:

(a) a task attributed to your EUI by legislation, e.g. procedures under the staff regulations or tasks assigned by an Agency's founding regulation. Please mention the specific legal basis (e.g. "Staff Regulations Article X, as implemented by EUI IR Article Y", instead of just "Staff Regulations")

(a2) not all processing operations required for the functioning of the EUIs are explicitly mandated by legislation; recital 17 explains that they are nonetheless covered here, e.g. internal staff directory, access control.

(b) a specific legal obligation to process personal data, e.g. obligation to publish declarations of interest in an EU agency's founding regulation.

(c) this is rarely used by the EUIs.

(d) if persons have given free and informed consent, e.g. a photo booth on EU open day, optional publication of photos in internal directory;

(e) e.g. processing of health information by first responders after an accident when the person cannot consent.