

DATA PROCESSING –
RULES OF PROCEDURE

of the Friedrich-Ebert Stiftung Budapest

1056 Budapest Fővám tér 2-3

Represented by the

Directors Jörg Bergstermann and Beate Martin

The Friedrich Ebert Stiftung Budapest (hereinafter: “Data Processor”) issues and employs the following rules of procedure with regard to the processing of personal data of natural persons in accordance with Regulation No. 2016/679 of the European Parliament and Council (hereinafter: “GDPR”) and the provisions of Law No. CXII/2011 (hereinafter “InfoG”).

According to the data processing rules of procedure:

A “natural person” is a person as defined by § 2: 1 paragraph 1 of the Civil Code (“SR/RS 210”, Law No. V / 2013);

“Personal data” refers to data as defined in Art. 4 Point 1 of the GDPR;

“Data processing” refers to the processing of data according to Art. 4 Point 2 of the GDPR;

The “Data Processor” is the Friedrich Ebert Stiftung Budapest;

A “breach in the protection of personal data” is a breach as defined by Art. 4 Point 12 of the GDPR;

The “Supervising Authority” is an authority as defined by Art. 4 Point 22 of the GDPR;

The “Headquarters of the Friedrich Ebert Stiftung” refers to the Friedrich Ebert Stiftung Bonn and the Friedrich Ebert Stiftung Berlin.

These data processing rules of procedure apply to the processing of personal data of the following persons:

- Partners, consultants, suppliers and their employees, as well as event participants.
- Employees and former employees of the Data Processor, as well as persons who send an activity request to the Data Processor (employment / internship candidates, other personal job searches and applications)

I) General Provisions 1.1.

Name of the Data Processor:

Friedrich Ebert Stiftung Budapest

1056 Budapest, Fővám tér 2-3.

Represented by: Jörg Bergstermann and Beate Martin

1.2 Data Processing and Data Transmission

The Data Processor shall process the personal data of natural persons according to the principles established in Art. 5 Paragraph 1 Point a) – f) of the GDPR in the following manner:

- (i). Data processing shall take place only with regards to appropriate persons, and with a short period of time.
- (ii). The natural persons concerned shall be informed about the data processing and data transmission, and the scope of the data involved.
- (iii). The data involved in data processing shall be precise and up to date.
- (iv). All data security obligations shall be guaranteed.

With reference to the relevant legal basis, the Data Processor shall inform all persons falling within the scope of these data processing rules of procedure which personal data have been processed and transmitted to an order processor, and the grounds for this data transfer. (Appendix 1. Model for information sheet on data processing and data transmission).

The Data Processor shall transmit personal data affected by these data processing rules of procedure to a third party exclusively for the following reasons:

- (i). Mandatory legal provisions
- (ii). An order processing contract which has been signed with an order processor, or
- (iii). The written consent of the affected person

With regard to the transmission of data outside the territory of the European Union, the provisions listed in Chapter V of the GDPR shall be applied by the Data Processor as follows: Data transmission can take place exclusively with the express consent of the natural person concerned, and in accordance with Arts. 46 and 49 of the GDPR.

In the order processing contract, the order processor shall undertake to comply fully with the provisions of the GDPR, the InfoG, and the data processing rules of procedure with regard to the transmitted data, and to any personal data resulting from the processing of the order.

Appendix 3 to these data processing rules of procedure contains a list of those organisations and contact persons to which personal data may be transmitted for order processing.

1.3. Procedures in the event of a breach in the protection of personal data (“data protection breach”)

In the event of a data breach caused by the order processor, the Data Processor must itself carry out the procedure set down here. In the order processing contract, the order processor shall undertake to immediately inform the Data Processor of the data protection breach which occurred (during data processing) and to provide the Data Processor with all the information necessary for carrying out the mandatory procedure. The Data Processor is obliged to report this data protection breach to the relevant supervisory authority without undue delay, or within 72 hours of learning of it, provided this can reasonably be done. This is not necessary if the data protection breach is unlikely to pose a risk to the rights and freedoms of the persons concerned. If the data protection breach has not been reported within 72 hours, the grounds for this delay should be provided.

The report shall contain, at a minimum, the following information:

- a description of the nature of the breach, including the approximate number of persons affected;
- the name and contract details of the contact person, in case further information is necessary;
- a description of the probable consequences of the data breach
- a description of the measures taken or proposed by the Data Processor to remedy the consequences of the data protection breach and, if necessary, the measures to mitigate their possible adverse effects.

In accordance with Article 33 (5) of the GDPR, the Data Processor shall keep a register of data protection breaches. An example of such a register can be found in Appendix 2).

If the data protection breach is likely to entail a high risk of violations to the rights and freedoms of natural persons, the Data Processor must immediately inform the data subject of the breach.

This notification should include, at a minimum, the following:

- the name and contact details of the contact person, should further information be required,
- the likely consequences of the data breach.

Notification of the person concerned is not necessary if one of the following conditions is met:

- The Data Processor has taken the appropriate technical and organisational security precautions, and these were applied in the case of the personal data affected by the breach. In particular, the personal data must have been made inaccessible to such persons as were not authorised to access them, for instance through encryption.
- Through these or similar methods, the Data Processor has ensured that no serious risk of a violation of the rights and freedoms of the persons concerned is foreseeable.
- If notifying the person concerned involves disproportionate effort, it is not required.

In such a circumstance, a public announcement or similar measure must be taken, so that the data subjects are informed in a comparably effective manner.

II) The processing of personal data from partners, consultants, suppliers and employees

2.1) Personal scope of the provisions listed in Point II) of the data processing rules of procedure

Point II) of these rules of procedure concerns the personal data of partners, consultants and suppliers, insofar as they are natural persons, and of the employees of the aforementioned (regardless of whether these persons are contractually employed or through some other legal relationship).

2.2) Material scope of the provisions of Point II) of the data processing rules of procedure

The following personal data may be processed:

1) Contact Data: Name, e-mail address, address, position, telephone and telefax number, company name

The legal basis for this data processing is Art. 6. Paragraph 1 Points b) – f) of the GDPR. The Data Processor is entitled to transfer the contact details – with a declaration of consent (in accordance with Appendix 4) of the persons concerned – to the organisation’s headquarters for the purposes of data processing as stipulated in the declaration of consent. The legal basis for this data processing is Art. 6 Paragraph 1 Point a) of the GDPR. Given that the headquarters of the Friedrich Ebert Stiftung are located within the European Union, the provisions of the GDPR apply to data transmission. This data must be deleted by the close of the 11th year after the termination of the contract.

2) Order/service contracts: name, address/registered office, bank details, tax number/ tax ID

The legal basis for this data processing is Art. 6 Paragraph 1 Points c), b) and f) of the GDPR. This data cannot be deleted as the contracts could contain data pertaining to social security obligations. Since the Data Processor is a recipient of budgetary funds from the Federal Republic of Germany, it is subject to the provisions of the tax code in regard to the monitoring of the use of budgetary funds (§ 147. § Paragraph 1 - 4 Taxes) On the basis of these provisions, the Data Processor is obliged to keep all order/service contracts, as well as all documentation regarding the fulfilment of these contracts, until the expiry date stipulated above, and to transmit them to headquarters for monitoring purposes. Given that the headquarters of the Friedrich Ebert Stiftung are located within the European Union, the provisions of the GDPR apply to data transmission. With their declaration of consent, the persons concerned declare their consent to the data processor submitting their personal data, as specified in section 2.2, to the headquarters of the Friedrich Ebert Stiftung for the processing of their personal data.

The legal basis for this data transfer is the consent of the persons concerned (Art. 6. Paragraph 1 Point a) and Art. 6 Paragraph 1 Point c) of the GDPR.

III) The processing of the personal data of speakers at events

1) Contact details, CVs: Name, contact details, technical background, language skills, training/education

The legal basis for the processing of this data is Art. 6. Paragraph 1 Point b) of the GDPR. The data must be deleted at the close of the 11th calendar year after the year during which the event was held.

2) Photographs, audio and video recordings of the events

The speakers can be shown in the photographic, video and audio recordings of events. The legal basis for the processing of this data is Art. 6. Paragraph 1 Point a) of the GDPR (Appendix 4). With their declaration of consent, the persons concerned consent to the Data Processor uploading and publishing the above-stipulated recordings on social media pages, and on the website of the Data Processor. This data must be deleted at the close of the 11th calendar year after the year in which the event was held.

3) Order Contract: Name, address/registered office, bank details, tax ID/tax number

The legal basis for the processing of this data is Article 6 Paragraph 1 Points b), c), and f) of the GDPR. This data cannot be deleted as the contracts could contain data pertaining to social security obligations. Since the Data Processor is a recipient of budgetary funds from the Federal Republic of Germany, it is subject to the provisions of the tax code in regard to the monitoring of the use of budgetary funds (§ 147. § Paragraph 1 - 4 Taxes). On the basis of these provisions, the Data Processor is obliged to keep all media stipulated under 3.1) – 3.3) until the expiry date stipulated above, and to transmit them to the organisation's headquarters for monitoring purposes. Given that the headquarters of the Friedrich Ebert Stiftung are located within the European Union, the provisions of the GDPR apply to data transmission. With their declaration of consent, the persons concerned declare their consent to the data processor submitting their personal data, as specified in section 3.1) – 3.3), to the headquarters of the Friedrich Ebert Stiftung for the processing of their personal data. The legal basis for this data transmission is in Art. 6 Paragraph 1 Points a) and c) of the GDPR.

IV. The processing of the personal data of event participants.

1) Electronic correspondence with the data subjects / filling out registration forms / submitted business cards / lists of participants: name, e-mail addresses, telephone numbers, fax numbers, notification addresses

The legal basis for the processing of this data is Article 6. Paragraph 1 Point b) of the GDPR. This data must be deleted at the close of the 11th calendar year after the year in which the event was held.

2) Photographs, audio and video recordings

Participants at events may be shown in the photographic, video and audio recordings of the events. The Data Processor may process the data of the persons stipulated above in accordance with Article 6. Paragraph 1 Point a) of the GDPR (Appendix 4). With their declaration of consent, the persons concerned consent to the Data Processor uploading and publishing the above-stipulated recordings on social media pages, and on the website of the Data Processor. Since the Data Processor is a recipient of budgetary funds from the Federal Republic of Germany, it is subject to the provisions of the tax code in regard to the monitoring of the use of budgetary funds (§ 147. § Paragraph 1 - 4 Taxes). On the basis of these provisions, the Data Processor is obliged to keep the media specified in Point 4.2) until the expiry date stipulated above, and to transmit it to the organisation's headquarters in Berlin for monitoring purposes. Given that the headquarters of the Friedrich Ebert Stiftung are located within the European Union, the provisions of the GDPR apply to data transmission. With their declaration of consent in accordance with Appendix 4, the persons concerned declare their consent to the Data Processor submitting their personal data, as specified in section 4.2), to the headquarters of the Friedrich Ebert Stiftung, and to the processing of their data at that location. The legal basis for data processing in connection with data transmission is Article 6. Paragraph 1 Points a) and c) of the GDPR. This data must be deleted at the close of the 11th calendar year after the year in which the event was held.

V. Processing the data of the Data Processor's employees.

5.1) The personal scope of the provisions of Point V) of the data processing rules of procedure.

The provisions of Point V) of the data processing rules of procedure are to be applied to the personal data of:

- the employees of the Data Processor
- the former employees of the Data Processor
- the interns of the Data Processor
- the former interns of the Data Processor.

Hereinafter, the employees, former employees, interns and former interns shall all be referred to as 'employees'.

5.2) Material scope of the provisions of item V) of the data processing rules of procedure

The Data Processor can process the following personal data of the persons concerned in the following documents:

1) Employment contracts and related documents (modifications to employment contracts, declarations, information sheets, employer copies): Name, maiden name, address, place of residence, nationality, place and date of birth, mother's maiden name, tax ID, social security ID, ID card number, address card number, salary and other references, telephone number (private), e-mail address (private) and bank details. The legal basis for the processing of this data is Article 6 Paragraph 1 Points b) and c) of the GDPR, in conjunction with Section 42 Paragraph 1 of the German *Arbeitsgesetzbuch* or Labour Code (ArbG). This data cannot be deleted due to a legal obligation to demonstrate proof of employment.

2) Degree/diploma/certificate/language qualification certificate: Name, description of certification, other related data

The legal basis for processing the above-stipulated data is Article 6 Paragraph 1 Points b) and c) of the GDPR. This data can be retained until the close of the 11th calendar year from the termination of the employment contract (in accordance with Section 147 Paragraphs 1-4 of the Tax Code)

3) Curriculum Vitae

(i) Application CVs in the sense of Point 6.1

The legal basis for processing the above-stipulated data is Article 6 Paragraph 1 Points b) and c) of the GDPR. The data may be retained until the close of the 11th calendar year from the termination of the employment contract (in accordance with Section 147 Paragraphs 1-4 of the Tax Code)

(ii) Professional CVs of employees: name, position, responsibilities, previous positions/employment, languages, training/education

The legal basis for processing the above-stipulated data is Article 6 Paragraph 1 Points b) and c) of the GDPR. The data may be retained until the close of the 11th calendar year from the termination of the employment contract (in accordance with Section 147 Paragraphs 1-4 of the Tax Code)

4) Attestation of company doctor: Name, social security IC, medical certificate

The obligatory medical check on all employees by the company doctor shall be carried out by the Data Processor's contractual partner (Appendix 3) as stipulated by law (at the commencement of employment, at regular intervals and in special cases). The Data Processor shall receive the doctor's medical certificate in paper form. Other documentation (medical results) shall be communicated by the contractual partner exclusively to the employer and retained by the company doctor as Data Processor in accordance with all relevant legal provisions. With the termination of the contract, the contractual partner shall undertake to carry out the data processing in accordance with all relevant legal provisions. The Data Processor shall store the medical certificate of the company doctor in a closed cabinet. Only those employees stipulated in Appendix No. 3) shall have access to it. Should the issuance of a health booklet be required for certain employees, this shall also be retained by the contractual partner. Upon termination of the employment contract, the employee shall receive all health documentation from the contractual partner. The Data Processor shall retain a copy of the document and the medical certificate until the close of the 20th year after the termination of the employment relationship.

The legal basis for the processing of this data are Article 6 Paragraph 1 Point c) and Paragraph 2 Point b) of the GDPR, in conjunction with Law XCIII. / 1993. and on the basis of Regulation No. 89/1995 SZSZM.

5) OEP Book (proof of social security): Name, address, place and date of birth, mother's maiden name, social security ID

The legal basis of the processing of this data is Article 6 Paragraph 1 Point c) of the GDPR, in conjunction with Law No. LXXXIII. / 1997 on compulsory health insurance, and on the basis of Section 37 of Government Regulation VO 217/1997. (XII. 1.) (enforcement regulation). The Data Processor shall store this data for the duration of the period of employment. Upon the termination of the employment contract, the accountant shall retain a copy until the close of the 11th calendar year after the termination of the contract.

6) Attendance list: Name, number of working days, number of vacation days, number of sick days.

The legal basis for the processing of this data is Article 6. Paragraph 1 Points b) and c) of the GDPR, in connection with Section 134 of the Labour Code (ArbG). This data may not be deleted due to a legal obligation to provide proof of employment.

7) Confirmation of illness: name, address, place and date of birth, mother's maiden name, social security ID, data concerning the accident, data concerning the current status of the illness, number of sick days, work incapacity code.

The legal basis for the processing of this data is Article 6 Paragraph 1 Point c) of the GDPR, in conjunction with Appendix 5 of Government Regulation No. 102/1995. (VIII. 25.). The data must be deleted by the close of the 11th year following the year in question, in accordance with Section 78 Appendix 4 of Law No. CL./2017.

8) EST advance declaration: Name, tax ID, special health status, resolution number in case of disability

The legal basis for the processing of this data is Article 6 Paragraph 1 Point c) of the GDPR, in conjunction with Article 9 Paragraph 2 Point b) of the GDPR, in addition to Section 1 of Government Regulation No. 335/2009. (XII. 29). The data must be deleted by the close of the 11th year following the year in question, in accordance with Section 78 Appendix 4 of Law No. CL./2017.

9) Declaration of days off on account of children: Name, address, place and date of birth, tax ID, name of child, place and date of birth, social security ID, disability (if any)

The legal basis for the processing of this data is Article 6 Paragraph 1 Point c) of the GDPR, in conjunction with Article 9 Paragraph 2 Point b) of the GDPR, and also in accordance with Section 132 Paragraph 2 of the ABG. The data must be deleted by the close of the 11th year following the year in question, in accordance with Section 78 Appendix 4 of Law No. CL./2017.

10) Family tax declaration: Name, tax ID

The legal basis for the processing of this data is Article 6 Paragraph 1 Point c) of the GDPR, in conjunction with Section 24/A of Law No. LXXX./1997. The data must be deleted by the close of the 11th year following the year in question, in accordance with Section 78 Appendix 4 of Law No. CL./2017.

11) Documents relating to health insurance, private pension insurance, private health insurance: Name, maiden name, address, place of residence, place and date of birth, mother's maiden name, tax ID, social security ID. The legal basis for the processing of this data is Article 6 Paragraph 1 Points b) and c) of the GDPR. This data may not be deleted, due to the State Archives Act (Act No. LXVI/1995).

12) Cafeteria Declaration: Name, maiden name, place and date of birth, mother's maiden name, address, place of residence.

The legal basis for the processing of this data is Article 6 Paragraph 1 Points b) and c) of the GDPR. The data must be deleted by the close of the 11th year following the year in question, in accordance with Section 78 Appendix 4 of Law No. CL./2017.

13) Vacation register: Name, tax ID, vacation days used/still available in present year

The legal basis for the processing of this data is Article 6 Paragraph 1 Point c) of the GDPR, in conjunction with Section 134 of the Labour Code (ArbG). The data must be deleted by the close of the 11th year following the year in question.

14) Income sheet: Name, tax ID, address, salary data (gross/net) taxes and other contributions deducted by employer

The legal basis for the processing of this data is Article 6 Paragraph 1 Point c) of the GDPR, in connection with Section 160 of the BG. This data may not be deleted, due to the State Archives Act (Act No. LXVI/1995).

15) “M30” Document (termination document): Name, mother’s maiden name, place and date of birth, salary data

The legal basis for the processing of this data is Article 6 Paragraph 1 Point c) of the GDPR, in conjunction with Government Regulation 465/2017. (XII. 28.) on the provisions of the Tax Procedure Code. This data may not be deleted, due to the State Archives Act (Act No. LXVI/1995).

16) Proof of income: Name, social security ID, maiden name, place and date of birth, mother’s maiden name, social security duration data, pension insurance data

The legal basis for the processing of this data is Article 6 Paragraph 1 Point c) of the GDPR, in conjunction with Government Regulation 465/2017. (XII. 28.) on the provisions of the Tax Procedure Code. This data may not be deleted, due to the State Archives Act (Act No. LXVI/1995).

17) Documents concerning the termination of employment contract: Name, address, place and date of birth, mother’s maiden name, tax ID, social security ID, duration of contracted employment

The legal basis for the processing of this data is Article 6 Paragraph 1 Point c) of the GDPR, in conjunction with Section 80 Paragraph 2 of the ABG. A copy of the document must be retained until the close of the 11th year following the termination of employment. The original shall remain with the employee.

18) Photographs, audio and video recordings of events; clips and short films
Employees may be shown in audio/video recordings, or in short films about events. The legal basis for the processing of this data is Article 6 Paragraph 1 Point a) of the GDPR. In their declaration of consent, the employees give their consent to the employer uploading the recordings stipulated above to social media and/or to its website.

5.3) The transmission of the personal data of the Data Processor’s employees to the headquarters of the Friedrich Ebert Stiftung

Since the Data Processor is a recipient of budgetary funds from the Federal Republic of Germany, it is subject to the provisions of the tax code in regard to the monitoring of the use of budgetary funds (§ 147. § Paragraph 1 - 4 Tax Ordinances). On the basis of these provisions, the Data Processor is, with regard to media covered by section 5.2), obliged to retain media pertaining to Nos. 1), 2), 3), 6), 8), 9), 10), 11), 12), 13), 15), 16), 17), 18) until the stipulated expiry date, and to transmit it to the organization’s headquarters for monitoring purposes. Given that the headquarters of the Friedrich Ebert Stiftung are located within the

European Union, the provisions of the GDPR apply to data transmission. With their declaration of consent in accordance with Appendix 4, the persons concerned declare their consent to the Data Processor submitting their personal data, as specified in section 4.2), to the headquarters of the Friedrich Ebert Stiftung, and to the processing of their data at that location. The legal basis for data processing in connection with data transmission is Article 6. Paragraph 1 Points a) and c) of the GDPR.

VI) Special provisions regarding the processing of data of those persons who send an activity request/application to the data processor.

Should Chapter VI) of these data processing rules not contain a provision to the contrary, the provisions listed in Chapters I), V) and IX) should be applied, mutatis mutandis, to the processing of the data of those who send an activity request to the Data Processor.

Such natural persons are persons who send an activity request/application such as:

- employment candidates
- internship candidates or
- other candidates

to the Data Processor. The provisions apply irrespective of the legal relationship on which the request is based (employment relationship, contractual relationship, etc.)

6.1) Personal data to be communicated:

- name
- maiden name
- address
- place of residence
- place and date of birth
- telephone number
- e-mail address
- school leaving certificate, copy of diploma/training certificate
- language qualifications and certificates
- other training and certifications
- a short list of technical experience
- consent to the activity request being forwarded to the headquarters of the Friedrich Ebert Stiftung (Appendix 4)

Activity requests which do not contain all of the data listed above shall not be accepted by the Data Processor, and shall be deleted.

6.2) The sorting of activity requests

The data processor shall delete/destroy activity requests and all supplementary material on the last day of the 11th calendar year from the year in which the activity request was received.

This deletion/destruction does not apply to the data and documents of persons with whom the data processor establishes a legal relationship. Their data shall be processed in accordance with the regulations governing that legal relationship.

VII) Data processing with regard to newsletters

The Data Processor shall send its newsletter only to such persons as expressly register for it. Registration can be performed on the Data Processor's website, or by filling out a form. This activity is to be regarded as a declaration of consent as defined in Article 6 Paragraph 1 Point a) of the GDPR. The persons concerned may cancel their receipt of the newsletter, either by following the instructions on the Data Processor's website, or by clicking on the appropriate box within the newsletter itself. The Data Processor declares that upon cancellation of a newsletter subscription, the personal data of the person concerned shall be deleted. It is not necessary for the person concerned to make a separate request for the data to be deleted.

VIII) Data processing through the use of cookies

The website of the Data Processor must inform visitors that only session cookies are used, and that personal data is not collected. The Data Processor uses Matomo as a web analysis service. This service uses cookies, which are stored on the visitor's computer and which enable the data processor to analyse website usage. In order to do so, the usage information generated by the cookie (including the shortened IP address of the user) is transmitted to the server of the data processor and stored for the purposes of usage analysis, which in turn are used to optimise the website. The user's IP address is instantaneously anonymised during this process, so that the visitor remains anonymous to the Data Processor. The information which the cookie generates about website use is not passed on to third parties. Visitors can disable the use of cookies within the settings of their internet browsers, but this may prevent them from using all the website's functions to their full extent. If the visitor does not agree to the storage and evaluation of the data from their visit, they can opt out of it at any time with one mouse click. In this case, a so-called opt-out cookie stored on the visitor's web browser, which does not collect any session data. If the visitor deletes cookies, this may also delete the opt-out cookie, in which case it may have to be reactivated by the visitor. By default, the Data Processor uses so-called 'server log files' – which are automatically transmitted to the Data Processor via the visitor's web browser – to collect and store the following information:

- browser type/version
- operating system in use
- referrer URL (the previously visited page)
- the host name of the connecting computer (IP address)
- Date and time of the server request

The Data Processor cannot use this information to identify specific persons. They are anonymised, and evaluated only to improve the content and functionality of the website. This data is not combined with other data sources to create personal user profiles, nor in any other manner to violate the anonymity of visitors.

IX) The rights of data subjects with regard to data processing

Data subjects have the following rights with regard to data processing:

9.1.) The right of access

Data subjects have the right to receive information about data processing from the Data Processor in accordance with Appendix 1) of these data processing rules of procedure.

9.2) The right to inquire into processed personal data

This inquiry can extend to:

- a) the purpose of the data processing;
- b) the categories of personal data regarding the person concerned;
- c) The recipients or categories of recipients with whom personal data has been or will be shared;
- d) The length of time for which the personal data will be stored, or, if this is not possible, the criteria by which this duration is established
- e) The right to lodge a complaint with the supervisory authority and
- f) all available information about the sources of this data, if it was not collected by the person concerned

9.3) The right to correct personal data

Data subjects have the right to request that the Data Processor correct with immediate effect any incorrect personal data it may hold about them. With regard to the purposes of processing, the data subject also has the right to request the completion of incomplete information, including by means of a supplemental statement.

9.4) The right to request a copy

The Data Processor is entitled to request an appropriate fee for the provision of further copies of the personal data it holds about the data subject, which may entail administrative costs. If the application was submitted in electronic form, the information should be made available in a widely used format, unless the data subject specifies otherwise.

9.5) The right to request deletion

The data subject may not request the deletion of their personal data which the Data Processor is processing pursuant to Article 6 Paragraph 1, Article 6 Paragraph 1 Point b) or Article 6 Paragraph 1 Point f) of the GDPR, insofar as the reasonable or legal period for data processing has not yet expired.

9.6) The right to restrict processing

The data subject has the right to request that the Data Processor restrict processing if one of the following conditions is met:

- a) The accuracy of the personal data is contested by the data subject, and it is possible for the Data Subject to check the accuracy of the personal data.
- b) The data processing is unlawful, but instead of requesting that the data be deleted, the data subject requests that its processing be restricted.
- c) The Data Processor no longer needs the personal data for the purposes of processing, but the data subject needs them to establish, prosecute or defend legal claims.
- d) The data subject has lodged an objection to the data processing, but it is not yet certain whether the legitimate reasons of the Data Processor outweigh those of the data subject.

If data processing has been appropriately restricted, this personal data may – irrespective of its storage – be obtained with the consent of the data subject, either to establish, prosecute or defend legal claims, or to defend the rights of another natural or legal person, or for reasons of important public interest to the European Union or a Member State. The data subject who has requested the restriction of data processing shall be informed before the restriction is lifted.

9.7) Right to transfer data

Insofar as the data processing is based upon the consent of the data subject, or solely upon the fulfilment of a contract, the data subject has the right to request and receive all personal data relating to them, and which they have provided to the Data Processor, in an organised, widely-used, and machine-readable format. The data subject also has the right to transfer this data to another data processor without hindrance from the data processor to which the personal data was first provided, if the processing is conducted with the aid of automated processes. Furthermore, the data subject has the right to have their personal data transferred directly from one data processor to another data processor, insofar as this is technically feasible.

9.8) The right to object

Insofar as the personal data of an authorised person is processed by the Data Processor solely on the basis of Article 6 Paragraph 1 Point a) of the GDPR (consent) or on the basis of Article 6 Paragraph 1 Point f) of the GDPR (protection of interests) the data subject has the

right to object to the processing of their personal data. In this case, the Data Processor may no longer process the personal data, unless it can be demonstrated on compelling grounds that the Data Processor's legitimate interests outweigh the interests, rights and freedoms of the data subject, or that the processing serves to establish, prosecute or defend legal claims. The data subject must be explicitly advised of this right at the time of first contact at the latest, and this notice must be given in comprehensible form, in a separate communication.

9.9) Procedural rules

During the exercise of the rights specified under 1) – 8), the Data Processor shall inform the authorised person without undue delay of those measures which have been taken, and certainly within one month of receipt of the request. This time limit may be extended to two months if the complexity and number of requests make this necessary. The Data Processor shall inform the data subject of the extension of the deadline, and shall specify the reasons for the delay within one month of receiving the request. If the data subject has submitted their request in electronic form, the information should likewise be given in this form, unless the data subject specifies otherwise. If the Data Processor fails to take steps on the basis of this request, it should inform the data subject without delay, and certainly within one month of receipt of the request, of the reasons for this failure, the possibility of complaining to the supervisory authority, and the option to pursue legal action. If the request is clearly superfluous, or in particular obsolete on the basis of repeated submission, the Data Processor may, on the basis of administrative costs of fulfilling the information or measures requested, implement the following measures:

- a) charge an appropriate fee, or
- b) refuse the measures requested. The burden of proof falls upon the Data Processor.

X) Transmission of personal data to an order processor

The Data Processor shall only transfer the personal data of the data subject to an order processor if it is absolutely necessary. This transfer may only take place on the basis of a written order processing contract. This contract shall determine the scope of the order processing, and shall include guarantees with regard to the security of personal data. The Data Processor may only use those order processors which provide adequate guarantees regarding the implementation of the necessary technical and organisational measures to ensure GDPR compliance of data processing and the legal protection of data subjects. The transfer of personal data to the order processor must be entered into the transfer register, and the data subject must be informed by a declaration in accordance with Appendix 1). The Data Processor shall not transmit personal data to third countries or international organisations. Should such a data transfer nevertheless occur, the regulations of the GDPR as stipulated in Point 1.2), regarding data processing rules of procedure, must be observed.

X) Caution

The data processor shall expressly draw the attention of the data subject to the fact that they must read the data processing guidelines of the relevant platforms before issuing their declaration of consent, as regards the uploading of photographs, video and sound recordings, video clips and short films made at events.

Data Privacy Notice for Using ZOOM

This webinar will be held in the form of an online videoconference using a service of ZOOM Video Communications, Inc., which is a company based in the United States of America. On the basis of a standard contract approved by the EU Commission, the Friedrich-Ebert-Stiftung and ZOOM have agreed that ZOOM will exclusively act as contractual data processor. This means that the personal data of conference participants that are required for the provision of the service and collected by ZOOM must only be processed for the purpose of providing the contractual service and must not be made accessible to third parties.

We recommend that you always use the most recent version of ZOOM and install updates soon after they are released, so that you can benefit from the most up-to-date security features that ZOOM has implemented and made available for secure communication. We also recommend that you keep your device (system, browser, antivirus software) up-to-date according to the manufacturer's security recommendations.

For further details, we refer you to the "ZOOM Global Data Processing Addendum", which you can access at https://zoom.us/docs/doc/Zoom_GLOBAL_DPA.pdf

In Exhibit A of this document, you can find, among other things, a list of personal data collected by ZOOM. Exhibit B describes the data security and control requirements provided, and Exhibit C contains the wording of the data processing contract.

That is why we use Zoom in the FES!

Zoom was selected as the standard software for the FES after extensive testing of various webinar softwares because it is the best software on the market based on performance, intuitive handling and interactive functions for webinar participants.

Even if the server is located in the USA, webinars and online workshops remain data-efficient, since we do not enter and save any of the participants' data in the software, but only send a link for participation.

According to the data protection officer of the FES (as of May 2020), the use of ZOOM is not objectionable from a formal legal point of view. The use of ZOOM for webinars and similar events on digital political education topics is justifiable from a data protection perspective and Zoom can be used for this purpose in a manner that is permissible under data protection law.

After Zoom gained a huge increase in users through Corona, the software was examined more closely and data protection flaws were found, which Zoom quickly remedied. In terms of data protection, Zoom has improved a lot in recent weeks and closed gaps. Since the end

of April (with version 5.0 of Zoom) Zoom uses the secure encryption "AES 256bit GCM" and set up a security button in the webinar room to protect against troublemakers and "Zoom-bombing". The FES colleagues are briefed on how they can protect the event room from interferers.

We look forward to welcoming you to our webinars and online workshops.

Appendices:

No. 1) A model of the data processing and data transfer information statement (other persons, employees)

No. 2) A model of data protection anomaly registers

No. 3) A contact list of order processors and contact persons (other persons, employees)

No. 4) Declaration of consent (all concerned, applicants)

Budapest, 17/12/2019

Budapest Office of the Friedrich Ebert Stiftung
Director Jörg Bergstermann