

A User Guide to DATA PROTECTION in the European Union

*Your rights & how to exercise
them*



BASIC CONCEPTS

• Acknowledgment

• Summary

• Introduction

• Basic concepts

- Personal data
- Data protection
- Data breach

• Rights

\\ What are your rights?

- Information
- Access
- Rectification
- Restrict processing
- Erasure
- Object
- Not to be subject to automated individual decisions
- Data portability

\\ How to exercise your rights?

- At INL
- Under GDPR

• Contacts:

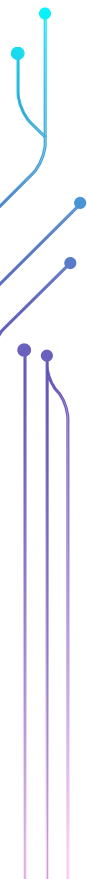
\\ Data Protection Team at INL

\\ European Data Protection

• Conclusion and additional resources

ACKNOWLEDGMENTS

This guide is based on ACCESSNOW with adaptations for INL. We are very grateful to Estelle Massé and the staff of ACCESSNOW for their kind permission to use their excellent material and to ACCESSNOW for permission to use its copyright.
For more information, please visit: <https://www.accessnow.org>



ALL YOU NEED TO KNOW ABOUT DATA PROTECTION



INL Data Protection Regulation and the GDPR



What is data protection?



What are my rights?

The right to:



Information



Access



Rectification



Erasure



Object



Not to be subject
to automated
individual
decisions



Restrict
processing



Data
portability



How can I exercise my rights?

At INL



Contact the Data Protection Team (DPT):
[data.protection\(at\)inl.int](mailto:data.protection@inl.int)



Under GDPR

Contact your national Data Protection Authority



What to do in case of violation or misuse?



Report it to DPT



File a complaint



Get support

Take control, exercise your rights!

INTRODUCTION

Personal data and data exchange are increasingly important to the modern economy and society and play a fundamental part in people's daily life and companies' activities. From social media, banking, retail, and governments, almost every service we use involves the processing of personal data, which is collected, analysed and stored by organisations.

At its core, the European General Data Protection Regulation (GDPR) defines a set of principles and rules designed to provide EU citizens or anyone located in the EU (no matter where you are from) with more guarantees and control of personal data and simplify the regulatory environment for companies, so both individuals and businesses can fully benefit from the digital economy.

INL, as an intergovernmental organisation, is deemed a third party, hence not directly subject to the GDPR. Even so, INL has its own Data Protection Regulation (DPR) that undertakes that

all issues related to the processing of personal data are regulated by the highest available standards, including the requirements set forth in the European regulation.

Thus, both INL DPR and the GDPR set a positive framework for users' protection, ensuring the confidentiality, protection and security of your personal data - whether if you are a Member of the Personnel, a partner, customer or suppliers' representative, a visitor or a member of the public. Furthermore, both guarantee that you are informed and in control of your personal information at all times.

This guide provides a set of useful information on your rights and responsibilities, and highlights the tools available for you to exercise your rights.

We invite you to read it carefully; be aware of your rights and make data protection a reality.

BASIC CONCEPTS



PERSONAL DATA is any information that can directly or indirectly identify you, whether it relates to your private, professional, or public life.

What is considered personal data?

- Your name and surname;
- Your home address;
- Your email address;
- An identification card number;
- Location data (for example the location data function on a mobile phone);
- A cookie id;
- The online advertising identifier of your device;
- Data held by a hospital or doctor, which could be a symbol that uniquely identifies you.

What is not considered personal data?

- Name of an entity;
- Address of an entity;
- A company registration number;
- An email address such as: info@company.com;
- Anonymised data.



DATA PROTECTION is a fundamental right. It refers to the practices, safeguards, and binding rules put in place to protect your personal information and ensures that you remain in control of it.

In short, you should be able to:

- Assess on whether or not you should share your data (as a whole or in part),
- Be informed about who has access to it, for how long, and for what reason;
- Modify, correct, and, in given circumstances, erase part or all of the information.

BASIC CONCEPTS



DATA BREACH is a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to personal data transmitted, stored or otherwise processed.

Examples of data breaches:

- Loss or theft of hard copy notes, USB drives, computers or mobile devices;
- An unauthorized person gaining access to your laptop, email account or computer network;
- Sending an email with personal data to the wrong person;
- A bulk email using 'to' or 'cc', but where 'bcc' (blind carbon-copy) should have been used;
- A disgruntled employee copying a list of contacts for their personal use;
- A break-in at the office where personnel files are kept in unlocked storage.

RIGHTS

According to both GDPR and INL DPR, you have the right to be given information about how and why your personal data is being processed at any time, even after giving consent.

What are your rights?

1

ACCESS

GDPR Article 15 | INL DPR (art 5.1b)

You have the right to obtain a copy of your personal data as well as other supplementary information. It helps you to understand how and why your data is being used, and check if it is being done lawfully.

You have the right to obtain the following:

- Confirmation that your personal data is being processed and for what purpose;
- Recipients to whom your personal data have been or will be disclosed.

2

RECTIFICATION

GDPR Article 16 | INL DPR (art 5.1c)

You have the right to have your inaccurate personal data rectified, as well as any incomplete personal data.

3

RESTRICT PROCESSING

GDPR Article 18 | INL DPR (art 5.1f)

You have the possibility to ask and obtain from the organization a restriction on processing if:

- The processing is unlawful;
- The processing is no longer necessary, in whole or in part;
- If there is no legitimate interest of the organization in the processing;
- Or, under certain circumstances, at your request.

RIGHTS

4**ERASURE***GDPR Article 17 | INL DPR (art 5.1e)*

You have the right to have personal data erased. This is also known as the ‘right to be forgotten’. The right is not absolute and only applies under certain circumstances:

- a. If your personal data is no longer necessary for the purpose for which it was originally collected or processed;
- b. If the organization is relying on consent as a lawful basis for holding the data, and you withdraw your consent;
- c. If the organisation was relying on legitimate interests as basis for processing, but currently there is no overriding legitimate interest to continue this processing;
- d. Your personal data is being used for direct marketing purposes and you object to that processing;
- e. Your personal data has been unlawfully processed.

5**OBJECT***GDPR Article 21 | INL DPR (art 5.1h)*

You have the right to object to the processing of your personal data at any time, in particular where your data is processed for direct marketing purposes.

6**NOT TO BE SUBJECT TO AUTOMATED INDIVIDUAL DECISION***GDPR Article 22 | INL DPR (art 5.1i)*

You have the possibility to request not to be subject to any conclusions or decisions based solely on automated processing, such as automated profiling, which may significantly affect you.

6**DATA PORTABILITY***GDPR Article 20 | INL DPR (art 5.1g)*

The right to data portability enables you to receive personal data you have provided to a controller in a structured, commonly used and machine-readable format. It also gives you the right to request that a controller transmits this data directly to another controller.

How to exercise your rights?

At INL

Reaching Data Protection Team

You can exercise all the rights mentioned above at any point in time.

If you think your data protection rights or other related privacy rights have been breached at INL you should contact the Data Protection Team (DPT) to communicate the violation or misuse of your personal data.

How? By sending an email to:
data.protection@inl.int.

The DPT will assess your request in two working days. After this period, the DPT shall promote a resolution of your complaint in an amicable manner aiming to achieve a successful settlement of any disagreements or disputes.

If, however, no settlement has been possible to achieve within 30 days from the beginning of the discussions, you can file a case in arbitration, as described under Article 17 of INL DPR.

INL Process for Data Breach

At INL, the Data Protection Team follows the procedure defined by the DPR, namely on article 13. You can read the process here:

https://inl.int/INL-Data-Protection-Regulation_REGDIR003.pdf

How to exercise your rights?

Under GDPR

- **You can file a complaint** with the Data Protection Authority (DPA) of the EU country where you are located. DPAs are independent public authorities that monitor, supervise, and enforce the application of the GDPR. The DPA has the obligation to inform you about the progress of any complaint three months after you file it. If at any point you are dissatisfied with the response from the DPA handling your complaint, you can bring the authority to court.
- **You can file a case in court** against a company, a government body, or an organisation. You can do this instead of, or in addition to, filing a complaint with your data protection authority.
- **You have the right for a non-governmental organisation (NGO) to file a complaint on your behalf** if the NGO is legally established, its activities are protecting individuals or the public interest, and the NGO has expertise in the area of data protection.



You can find the list of the Data Protection Authorities in all European countries here:

https://edpb.europa.eu/about-edpb/board/members_en

CONTACTS

At INL:

Contact the Data Protection Team by sending an email to:
[data.protection\(at\)inl.int](mailto:data.protection(at)inl.int)

Under GDPR:

Check the list of Data Protection Authorities in all European countries here:
https://edpb.europa.eu/about-edpb/board/members_en

CONCLUSION

INL is fully committed to ensure the privacy and protection of your personal data.

Along with the activities and procedures internally implemented to guarantee compliance with this diligence, it is also crucial that you are informed and aware of the principles and the rights safeguarded under the INL Data Protection Regulation and the General Data Protection Regulation, as presented in this guide.

If you have questions or need our support, please do not hesitate to contact us.

Additional resources

Want to know more about data protection and the GDPR?
Explore these useful resources:

<https://gdprexplained.eu>

<https://ec.europa.eu/info/law/data-protection/>

<https://www.accessnow.org/>

<https://ico.org.uk/your-data-matters/>