

# CLARIFICATION TEXT ON PROCESSING AND PROTECTION OF PERSONAL DATA AS PER LAW NO 6698 ON PROTECTION OF PERSONAL DATA

## Definitions

Definitions referred to in this Clarification Text on Processing and Protection of Personal Data are as follows:

**Service:** Services provided to Member through Site.

**Personal Data:** Any information about an identified or identifiable real person,

**Personal Data Protection Law ("PDPL"):** Law No. 6698 on Protection of Personal Data which took effect as published in the Official Gazette on 7 April 2016,

**GDPR (General Data Protection Regulation):** General Data Protection Regulation No: 2016/679 of the European Parliament and of the Council (EU) which entered into force on 25 May 2018 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, and on the repeal of the Directive No: 95/46/EC,

**SITE:** Web site on **URL: <http://etkiniz.eu/>** and ETKİNİZ management,

**ETKİNİZ:** ETKİNİZ EU Programme managed by the Consortium,

**MIS:** ETKİNİZ Management Information System (MIS),

**E-Bulletin:** E-mail notification system of innovations, developments and announcements regarding ETKİNİZ,

**Member:** All civil society organizations that are internet users who are registered to MIS and / or e-bulletin and/or programs carried out through the SITE (association, foundation, non-profit cooperative, civil society networks and platform, civil initiative, community, network, city council, union, non-profit company, bar association, professional organization, civil society units of universities or centres working in the fields of rights),

**Data Owner:** Representatives, members and employees of civil society organizations and all other Site users who register to MIS and / or e-bulletin and / or programs carried out through the SITE,

**Data Processor:** Real or legal person who process personal data on behalf of data controller, based on the authority it grants,

**Data Controller:** **WEglobal S.r.l**

**Consortium:** Consortium which is composed of WEglobal S.r.l, B&S Europe, COSPE Onlus and Citizens Assembly, and which is under the leadership of Weglobal S.r.l,

**DG NEAR:** European Commission, Directorate-General for Neighbourhood and Enlargement Negotiations Contracts and Finance Unit,

**Text:** This Clarification Text on Processing and Protection of Personal Data,

## 1. Data Controller

As per PDPL, your personal data that you have shared as Member and/or Data Owner with the SITE shall be evaluated by Data Controller in the following scope. Data Controller's:

Title	:	WEglobal S.r.l.
Registration Number	:	09689180967
Address	:	Via Bisceglie, 76 20152 Milano
Telephone	:	+39 02 124120961
Fax	:	+ 39 02 124120801
E-mail Address	:	<a href="mailto:Danilo.caminada@weglobal.org">Danilo.caminada@weglobal.org</a> / <a href="mailto:arianna.sabbatini@weglobal.org">arianna.sabbatini@weglobal.org</a>

## 2. Personal Data Collection Method and its Legal Reason

2.1. Your personal data is obtained by the SITE in two different ways:

- **Data you have directly provided:** It expresses personal data provided by Data Owner with his/her own initiative to the SITE for the provision of Service and before and during SITE usage through channels including, but not limited to, MIS, membership application form, SITE Communication Forms, SITE E-Bulletin Registration Forms, Application Forms, Job Application Forms, ETKİNİZ EU Programme Non-Key Pool. This personal data covers all personal data directly provided by Data Owner to the Data Controller. For example, information such as name-surname, contact details, identity information, answers given to surveys, demographic data and content information takes place in this category.
- **Data we obtain when you use the SITE:** It includes personal data related to usage habits of Data Owner through specific software or technological tools during service provision of the SITE. For example, location data and areas of interest together with frequently used and usage data is included in this category.

2.2. Data obtained in this way can be collected, processed and conveyed with the aims indicated in this Text within the scope of personal data processing terms and purposes indicated in Articles 5 and 6 of PDPL, in line with basic principles envisaged by PDPL to deliver services provided by the Data Controller within identified legal framework.

## 3. Purpose of ETKİNİZ

Main purpose of ETKİNİZ EU Programme is to strengthen the role of civil society organisations on extended civil society monitoring and advocacy at various levels to develop and protect human rights. Through supports that will be provided within the scope of the Programme and works of civil society organisations that will benefit from these supports, it is aimed to:

- Strengthen human rights monitoring capacity in a sustainable way,
- Improve the quality and quantity of human rights monitoring reports,
- Develop expertise, methodology and skills necessary for human rights monitoring,
- Increase access to and impact of European and international human rights frameworks and mechanisms,
- Ensure dialogue opportunities to improve human rights monitoring environment,

- Generalize awareness on monitoring value and role of civil society organisations in protecting and supporting human rights at community level,
- Contribute to strengthening cooperation and dialogue between public institutions and civil society organisations.

#### 4. Processed Personal Data and Purpose of Personal Data Processing

##### 4.1. Processed Personal Data:

Your personal data that is provided by yourself, during the registration of the programs carried out on the SITE and / or the E-bulletin and / or within the scope of the performance of the Service, and which may be subject to processing, are given as follows as example:

<b>Identity Data</b>	Name, surname, date of birth, country of birth, city of birth, sex, civil status, citizenship, Turkish Republic Identity Card information (Turkish Republic Identity Number, serial number, certificate number, father's name, mother's name, place of birth, city, county, quarter, volume number, house range number, individual range number, section number, page number, registration number, place of delivery, reason of delivery, delivery date, maiden name), copy of identity card, passport number
<b>Communication Data</b>	Home/work telephone numbers, open address information, e-mail address (extension number, corporate e-mail address), social media account information, fax number
<b>Sensitive Personal Data</b>	Information about civil society organisation that he/she is a member of, such as Union, Association, Foundation, etc., status of being an ex-convict/criminal record, disability status/definition/percentage, religion, health information, blood type, health reports, association/foundation memberships, Social Security Premiums and taxes paid
<b>Training Data</b>	Educational background, certificate and diploma information, foreign language information, trainings and skills, CV, courses taken
<b>Audio-Visual Data</b>	Photographs, sound recordings, video recordings of real person
<b>Performance and Career Development Data</b>	Trainings and skills, professional activities, seniority, experience, training history (where and when it is received), information in which fields he/she worked, signed participation form, company and department information
<b>Other</b>	Copy of driver's license, license plate, information that Data Owner grants approval to be shared through social media accounts if he/she connects through them, information about surfing and clicking on the SITE, information about location where he/she opens application, internet access logs, input output logs, cookie policy, bank account number

	(IBAN and BIC), statement that it does not have the exceptions referred to in Articles 136-141 of the European Commission Financial Regulation, name and contact details of the reference persons
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#### 4.2. Purposes of Personal Data Processing:

4.2.1. As per Articles 4, 5 and 6 of PDPL, and within the framework of legal obligations arising from relevant legislation, including Law No 5651 on Regulation of Publications on the Internet and Combating Crimes Committed by Means of Such Publication and relevant secondary legislation, Law No. 6563 on Regulation of Electronic Commerce and relevant secondary legislation, Turkish Criminal Code (Law No. 5237) and Law No. 6698 on Protection of Personal Data, your personal data shall be processed and stored by the SITE with the aim of achieving the purpose of ETKİNİZ and providing you better service and support;

- a. In accordance with law and good faith,
- b. In an accurate and up-to-date manner if necessary,
- c. For specific, clear and legal aims,
- d. By being associated, limited and restrained to the processing purpose,
- e. In compliance with storage rules for a certain period of time envisaged in relevant legislation or necessary for its processing purpose,

and based on your explicit consent and in relation to SITE's activities indicated in Article 4.2.2, for you to benefit from the membership of SITE and/or E-bulletin, by taking all information security measures, providing that it will not be used out of the scope and purposes indicated below in this Text:

- To confirm the credentials of the member through the SITE and/or E-bulletin and/or the programs carried out by the SITE,
- To record the address and other necessary information for communication,
- To communicate, provide necessary information and convey questions to the members of MIS and/or E-bulletin and/or the programs carried out within the scope of the activities of the SITE,
- To arrange all records and documents that will be the basis for processing in electronic media (internet / mobile etc.) or on paper,
- To be able to provide information to public officials on public security issues upon request and in accordance with the legislation,
- To increase the satisfaction of the SITE users and the members of MIS and/or E-bulletin and/or the programs carried out within the scope of the activities of the SITE, to organize surveys in electronic and/or physical environment,
- To be able to offer suggestions to MIS and/or E-bulletin members by our contracted institutions, solution partners and third-party internet channels and digital programs that we are a member of, to inform MIS and E-bulletin members about our services,
- To be able to evaluate the complaints and suggestions of the members regarding the activities,

- To be able to fulfill our legal obligations and to exercise our rights arising from the current legislation,
- To prevent fraud and other illegal activities.

#### 4.2.2. SITE Activities

- Human Rights Monitoring Support:** It is designed to support new and current human rights monitoring initiatives based on international human rights standard. With this support, it will be possible for members to design and implement their own human rights monitoring works.
- Support of Access to International Human Rights Mechanisms:** It provides support for members directly targeting international human rights mechanisms for the purposes of reporting and advocacy. With regards to human rights monitoring, it is designated to organise international study visits between Turkey, EU member and candidate countries and European Neighbourhood and Partnership Instrument (ENPI) countries, examine good practices on site and support activities of participation to events with items indicated on the SITE in detail. This support category provides a rapid opportunity for members wishing to prepare a report on different international human rights mechanisms. Meeting, travel, translation and other logistic needs necessary for preparing this report can be met with this support category. Besides, members can also use this support to easily access international human rights mechanisms by participating in meetings or sessions where these reports are discussed and organising one-to-one interviews.
- Organisation of Training Programme:** Different training programmes that will be needed by members for monitoring human rights are organised by ETKİNİZ and announcements regarding these trainings can be found on social media accounts and in announcement section of the SITE.
- News:** Data, announcements, report, studies, etc. published by institutions, organisations, foundations, associations and bodies with regard to improvement and protection of human rights in Turkey and in the world are presented to members by filtering this information from a remarkably comprehensive database.
- ETKİNİZ Non-Key Pool:** In accordance with members' needs, support of experts having different levels of know-how, expertise and experience is provided. In addition to this, ETKİNİZ Non-Key Pool is utilised in order to create and implement learning opportunities covering training programmes and contents under different subject titles provided for Members.
- ETKİNİZ EU Programme Help Desk:** ETKİNİZ EU Programme Help Desk provides service from 13:30 to 16:30 each weekday. This unit which provides service through telephone and e-mail replies questions about the programme.

## 5. Transfer and/or Sharing of Personal Data

- 5.1. By accepting as Data Owner the General Terms of Use and this Clarification Text on Processing and Protection of Personal Data, you will have given consent for your location data shared with us with your explicit consent to be processed, in order to offer you various advantages and establish all kinds of electronic communication for purposes such as promotions, news,

announcements, surveys special for you and to send other communication messages, to develop Member experience (including improvement and customization), to ensure Members' security, to research operational assessment, to eliminate mistakes, to verify member identities and in line with the purposes specified in this Text and according to Article 8 of PDPL.

- 5.2. Besides, name and contact details of Member and/or Data Owner may be shared with paying agencies for identity verification purposes as per paying agency framework agreement shared within the scope of support provided to the Member and Regulation on Measures regarding Prevention of Laundering the Proceeds of Crime and Financing of Terrorism published in the Official Gazette numbered 26751 and dated 9 January 2008.
- 5.3. The SITE may share your personal data and traffic information such as surfing, with public institutions and organisations legally authorised to require such information, for your security and fulfilment of SITE's obligation under the laws (in cases of fight against crime, state and public security threat, etc.).

As explained in detail in Article 7, your personal data obtained through cookies placed on your device can be shared with third parties for the scope and purposes specified in this Text.

- 5.4. The SITE may transfer personal data to third parties in the country within the categories mentioned above, as well as to Consortium member companies residing abroad, and to DG NEAR, in order to achieve the purpose of the SITE. The clarification text published in accordance with the European Union General Data Protection Regulation and other relevant regulations on the transfer of your personal data to DG NEAR and processing by DG NEAR thereof is available at <https://ec.europa.eu/europeaid/prag/annexes.do?chapterTitleCode=A>. Likewise, in accordance with the European Union legislation, you are expected to declare that you have read the GDPR Privacy Statement, which we have prepared based on the aforementioned document, and that you have given your explicit consent, as a separate form concurrently with this Text.

## 6. Record Retention Period

Your personal data will be preserved for the maximum period specified in the relevant national and international legislation or required for the purpose for which they are processed, and in any case, for the legal period of limitations. Detailed information on the protection, storage and disposal of personal data is available within the scope of the "Personal Data Protection, Processing, Storage and Destruction Policy" created by the Data Controller, and the Policy can be accessed at <https://etkiniz.eu/>.

## 7. Cookie Policy

**Cookies** are text files that contain a tiny information bit installed by your web browser and stored on your computer, mobile phone or tablet when you visit the SITE or download mobile application on your mobile phone or tablet. The SITE will collect, process and safely store your surfing information with the aim of providing better service to the Member, making the Member benefit from membership advantages and within the frame of its legal obligation, on the condition that it will not be utilised out of the scope and aims set out in this Text. The SITE may match information collected from you with different methods or in different times, including information collected online and offline, and may use this information together with information obtained from other sources like third parties. Besides, SITE cookies may be used to activate "advertisement technology" in order to present you advertisements that it thinks they might be of your interest when you visit search engines and/or the

SITE. The SITE uses session cookies and persistent cookies. Session cookie terminates when you close web browser. However, persistent cookie stays on your hard disk for a long time. By following instructions provided in “help” file of your web browser or visiting “[www.allaboutcookies.org/](http://www.allaboutcookies.org/)” and “<http://www.youronlinechoices.eu>” links, you may remove persistent cookies and refuse both session cookies and persistent cookies. If you refuse persistent cookies or session cookies, you can continue to use the SITE; however, you may not be able to access all functions of the SITE or may have limited access.

## **8. Measures on Personal Data Protection**

Personal data protection is an important matter for the SITE. It takes all necessary measures against unauthorised access to personal data or loss, misuse, disclosure, amendment or disposal of such data. While storing personal data, the SITE uses generally accepted security technology standards such as firewalls and Secure Socket Layer (SSL) encryption. In addition to this, while sending your personal data to the SITE, this data is transferred through SSL. The SITE undertakes to keep your personal data confidential, to take all necessary technical and administrative measures and exercise due diligence for ensuring its confidentiality and security. If personal data is damaged or captured by third parties as a result of attacks carried out against website and system despite all necessary information security measures taken by the SITE, it will immediately inform you and Personal Data Protection Commission about such situation.

## **9. Rights of Personal Data Owner as Set Out in Article 11 of PDPL**

As personal data owners, in case that you submit your requests regarding your rights to the Data Controller, the SITE or the ETKİNİZ Support Desk by the methods set out below in this Text, the SITE will conclude the request free of charge within thirty days at latest from the date of application (in written applications, the date on which the document is received by the data controller or its representative; and for the applications made by other methods, the date the application received by the data controller is accepted as the date of application). However, if a fee is stipulated by the Personal Data Protection Board, the fee in the tariff determined will be charged by the Data Controller. In this regard, personal data owners have the following rights:

- To learn if personal data is processed or not,
- If personal data is processed, to request information with this regard,
- To learn why personal data is processed and if it is used in compliance with its purpose,
- To know national and international third parties to whom such personal data is transferred to,
- If personal data is processed incompletely or improperly, to demand its correction and inform third parties to whom such personal data is transferred about action taken in this scope,
- Although personal data is processed in compliance with provisions of PDPL and other relevant laws, to demand elimination or removal of personal data if reasons requiring such data to be processed are no longer in effect and inform third parties to whom such personal data is transferred about action taken in this scope,
- To object a conclusion against data owner itself by means of analysis of processed data through exclusively automatic systems,
- To demand recovery of loss if data owner incurs loss as a result of illegal processing of personal data.

Besides, if your personal data is processed incompletely or improperly or if there is a change regarding your processed personal data, you can apply in written to ETKİNİZ Help Desk to change or update such data.

Pursuant to Article 13/1 of the PDPL, you can send your request regarding exercising your rights mentioned above to the Data Controller in written or by using a secure electronic signature, mobile signature or through your e-mail address previously notified to the Data Controller and registered in the Data Controller's system. In this context, the channels and procedures, you can send your application to the Data Controller within the scope of Article 11 of the PDPL are explained below.

In order to exercise your rights indicated above, you can submit your request including the description of the right you want to exercise among the rights set out in Article 11 of PDPL together with information as indicated below to be obliged to include, by filling out the Application Form in Annex-1, by delivering bey hand a signed copy of the form to the address "Yıldızevler Mahallesi, Rabindranath Tagore Caddesi, No: 10/4 Yunus Ensari İş Merkezi Çankaya/ Ankara" accompanying the documents certifying your identity, or send the relevant form through notary public, or send the relevant form through your e-mail address previously notified to the Data Controller to the e-mail addresses as [bilgi@etkiniz.eu](mailto:bilgi@etkiniz.eu) or [info@etkiniz.eu](mailto:info@etkiniz.eu) as signed with secure electronic signature or mobile signature. The application must include the following:

- Name, surname and signature, if the application is in written,
- T.R identification number for citizens of the Republic of Turkey; nationality, passport number or identification number, if any, for foreigners,
- Residential address or workplace address for notification,
- Email address, telephone and fax number, if any, for notification,
- In case the Data Owner wishes to exercise this right through his/her attorney, a copy of the power of attorney containing special authority in this regard,
- Subject of the request.

## 10. Amendments

The SITE may always make amendments to this Text. These amendments will immediately enter into effect when amended new Clarification Text on Processing and Protection of Personal Data is uploaded to "<http://etkiniz.eu/>" website. In order for you to be aware of these amendments in this Text, you will be informed accordingly.

## 11. Applicable Law, Competent Court and Execution Offices

This Clarification Text on Processing and Protection of Personal Data is subject to the laws of Republic of Turkey. Ankara Central Courts and Execution Offices will be competent in case of any dispute arising from the application of this Text.

### ANNEX-1 APPLICATION FORM

This form is prepared in order to facilitate exercising your right to demand information by making application to Data Controller as per Article 11 of Law on Protection of Personal Data. For detailed information about the process of personal data processing and the process after your application with this form, please view "*Policy on Protection, Processing, Storing and Destruction of Personal Data*" ("Policy") published on the SITE.

#### A. Contact Details of Applicant

The information demanded by this form are needed and may be processed for the purpose to accurate determination of your identity, detailed research on your request, and informing you about



your application’s conclusion (“Purpose”). Therefore, please provide your personal information accurately and completely. Requested personal data will not be used for purposes other than those to achieve the aforementioned purpose.

<b>Name-Surname:</b>	
<b>TR Identity Number:</b>	
<b>Telephone Number:</b>	
<b>E-mail:</b>	
<b>Address:</b>	

**B. Relation of Application with the SITE**

1. Please indicate your relation with the SITE.

*For example: Member; Representative; Employee; Shareholder; Company Executive, etc.*

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2. With which unit inside the SITE did you communicate?

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**C. Request of Applicant**

Please explain your request in detail below.

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**D. Notifying Method for the Reply on Your Application**

The reply on your application can be sent to your e-mail address you have provided above through e-mail, or to your address through certified mail or notary public.

**E. Annexes**

- Documents supporting your request should be attached to the form, if any.
- If you apply individually, please provide a copy of documents identifying your identity (identity card, driving license, passport, etc.) in the attachment of the form.
- If application is made through attorney, it is obliged to forward to the SITE a copy of power of

attorney including special authority, in the attachment of the form.

In line with the demands I have indicated above, I request to be informed about the application I have made to the SITE after its being evaluated as per Article 13 of the law.

**Applicant (Personal Data Owner/Its Attorney)**

**Name-Surname:**

**Date of Application:**

**Signature:**