

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

Definitions

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

Service: Services provided to member through web site.

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

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

GDPR (General Data Protection Regulation): General Data Protection Regulation of the European Parliament and of the Council (2016/679) 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 which replaced the Data Protection Directive 95/46/EC,

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

Member: Internet user all civil society organisations (association, foundation, non-profit cooperation, civil society networks and platform, civil initiative, community, network, City Council, union, non-profit Corporation, Bar, Professional organisations, universities’ civil society units or centres working in the fields of rights) which become a member of the SITE,

Data Owner: Representatives of civil society organisations who enter the site on behalf of such organisation, members and employees of civil society organisation and site users,

Data Processor: Real or legal person who process personal data on behalf of data supervisor, based on the authority he/she grants,

Data Supervisor/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,

ETKİNİZ: ETKİNİZ EU Programme managed by the Consortium,

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

1. Data Supervisor

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

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, 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 SITE. 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 we 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 and GDPR to deliver services provided by the SITE within identified legal framework.

3. Purpose of ETKİNİZ

Main purpose of ETKİNİZ EU Programme is to strengthen its role on extended civil society monitoring and advocacy at various levels to develop and protect human rights of civil society organisations. 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,
- Raise 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 while becoming a member of the SITE and/or execution of a service and that can be the subject matter of processing is exemplified as follows:

Identity Data	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 birth certificate)
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Communication Data	Telephone number, open address information, e-mail (extension, corporate e-mail), social media account information
Sensitive Personal Data	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
Training Data	Educational background, certificate and diploma information, foreign language information, trainings and skills, CV, courses taken
Audio-Visual Data	Photographs, sound recordings, video recordings of real person
Performance and Career Development Data	Trainings and skills, professional activities, seniority, experience, training history (where and when it is received), research interests, signed participation form
Other	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 navigation and clicking on the site, information about location where he/she opens application, internet access logs, input output logs, cookie policy

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 Personal Data Protection, your personal shall be used 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 your personal data given above shall be processed and stored with reference to your direct consent and in relation to SITE's activities indicated below for you to benefit from SITE's membership by taking all information security measures, on the condition that it will not be used out of the scope and purposes indicated in this Text.

4.2.2. SITE Activities

- a. 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.
- b. 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 countries and candidate countries and ENPI (European Neighbourhood and Partnership Instrument) 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.
- c. Organisation of Training Programme: Different training programmes that will be needed by members for human rights to be monitored by ETKİNİZ are organised and announcements regarding these trainings can be found on social media accounts and in announcement section of the SITE.
- d. 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.
- e. ETKİNİZ Non-Key Pool: In accordance with members' needs, experts having different levels of know-how, expertise and experience provide support. 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.
- f. ETKİNİZ EU Programme Help Desk: Etkiniz 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. As data owner, by accepting this Clarification Text on Processing and Protection of Personal Data and General Terms of Use you will grant approval with direct consent for your location data processed by electronic communication operator and shared with us in relation to our legal relation with electronic communication operator to be processed with the aim of presenting various advantages to you, reaching promotion, news, announcement, survey and all kinds of electronic communication with similar purposes specifically for you and sending other communication messages, developing member experience (including

improvement and customisation), ensuring members' security, detecting fraud, improving services, researching operational assessment, eliminating mistakes, verifying member identities and achieving any purpose indicated in this Text.

- 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 navigation with public institutions and organisations authorised to require such information legally for your security and fulfilment of its obligation under the law (in cases of fight against crime, threat against state and public security).
- 5.4. As explained in detail in Article 8, your personal data obtained through cookies stored on your device may be shared with third parties within the scope and purposes set out in this Text.
- 5.5. The SITE may transfer personal data to third parties within the country in line with the categories given above as well as abroad.

6. Record Retention Period

Your personal data will be stored until maximum time set out in relevant legislation or for their purpose of being processed and until legal term of limitations.

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 navigation information with the aim of providing you better service, making you benefit from membership advantages and within 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 your advertisements that it thinks they might be of interest to you 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. Persistent cookie, on the other hand, 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/" 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 due measures against unauthorised access to personal data or loss, misuse, disclosure, amendment or disposal of such information. 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 for ensuring confidentiality and security and exercising due diligence. 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, if you forward your requests about your rights to the SITE or ETKİNİZ Help Desk through methods regulated in this Text below, the SITE will conclude such request freely within thirty days at the latest according to nature of request. However, if a fee is foreseen by Personal Data Protection Commission, fee set out in the tariff by the SITE will be requested. 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 on its nature,
- 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 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.

According to Article 13/1 of PDPL, you can forward your demand to exercise your rights indicated above in written or through other methods set out by Personal Data Protection Commission. In this framework, channels and procedures that you can forward your application in written with regard to applications you will make to the SITE within the scope of Article 11 of PDPL are given below.

In order to exercise your rights indicated above, you can submit your demand including your explanations about your right you request to exercise among rights set out in Article 11 of PDPL together with information necessary for identifying your identity by filling out the Application Form in Annex-1 or personally deliver a signed copy of the form to the address “Mahatma Gandhi Caddesi,

No: 102/2 Gaziosmanpaşa 06700 Çankaya/Ankara” together with documents identifying your identity, or send relevant form through notary or other methods set out in PDPL or secure e-mail with electronic signature to bilgi@etkiniz.eu or info@etkiniz.eu.

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. Law to be Applied, 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 Court and Execution Offices will govern 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 Supervisor as per Article 11 of Personal Data Protection Law. For detailed information about the process of personal data processing and the process after your application that you will make with this form, please examine “Policy on Protection, Processing, Storing and Destruction of Personal Data” (“Policy”) published on the SITE.

A. Contact Details of Applicant

This form is necessary for demanded information, accurate identification of your identity, detailed research on your request, and informing you about your application’s conclusion (“Purpose”) and it may be processed for this 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.

Name-Surname:	
Republic of Turkey:	
Telephone Number:	
E-mail:	
Address:	

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. Information Method for the Reply on Your Application

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

E. Annexes

- Documents supporting your request should be included in 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 an agent, it is obliged to forward a copy of letter of attorney including special authority to the SITE 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 upon its being evaluated as per Article 13 of the law.

Applicant (Personal Data Owner/Agent)

Name-Surname:

Date of Application:

Signature: