



Sveriges lantbruksuniversitet  
Swedish University of Agricultural Sciences

**Department of Ecology**

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## Information about processing of data protection at SLU for the project “Courts & Conservation – A systematic mapping of public interest litigation for species conservation in the European Union”

### Data controller

The Swedish University of Agricultural Sciences (SLU) is the data controller for the processing of your personal data. Your contact for this processing is Guillaume Chapron, who can be reached at [guillaume.chapron@slu.se](mailto:guillaume.chapron@slu.se) or by phone +46581-69 73 13).

The data protection officer at SLU can be reached at [dataskydd@slu.se](mailto:dataskydd@slu.se) or by phone at +4618-67 20 90.

### Purpose

The research project “Courts & Conservation” is about documenting and understanding legal processes as a conservation tool in the member states of the European Union (EU). The aim is fulfilled by a “systematic mapping”, meaning the collection and categorisation of a certain subject. The mapping includes legal processes that have been initiated by the public, for instance individuals and environmental NGOs, as well as by governmental authorities. We do not look at criminal court cases, only administrative and civil court rulings. Therefore, no court cases about species protection crimes are mapped. The court rulings are about EU obligations under the Habitats and Birds Directives. We plan on creating a public database where information about the court rulings is collected. Some, but not all, court rulings will be uploaded there.

To be able to carry out the research, we need to collect court rulings. The collection is done by contracted consultants in every EU member state. The court rulings contain personal data, primarily about judges, lawyers, representatives of legal persons, parties, and witnesses. Some data occurring in the court rulings may be sensitive personal data.

The data are collected for the following purposes.

1. To conduct a systematic mapping of court rulings about species protection in the EU. That includes coding of the court rulings for factors such as

country, court, date, species at question, outcome, and to what extent scientific knowledge has been used in the reasoning of the court's decision. The plaintiff and the defendant are coded, for instance as local authority, governmental authority, environmental NGO, user association, or private person. The names of the parties are documented, except when the party is a natural person.

2. To analyse the court rulings to find out how the courts reason and to compare the court rulings with available knowledge on for instance the distribution and population of species.
3. To compile the mapping and analysis in reports and scientific articles. Case reference numbers can be entered in these, but no other personal data.
4. To make a publicly available online database gathering the information on the court rulings. The information about the court rulings follows the coding described in the first purpose. That means that no personal names are published. When the court rulings are possible to find on other webpages, there will be a link to those pages. Some court rulings of extra interest that are not available on other webpages might be published on the database. Before publication, all names and other contact information in the court rulings is blackened. In the database, it will be possible to search for certain categories, for instance species, country, and instance. There will also be a free text search and it will be possible to search by case reference number. Since names and other contact information are blackened, it will not be possible to search for that. The publicly available database will be covered by a Swedish publication license.

In future projects, the collected court cases might be used for other research purposes. Also, the contracted lawyers in each EU country might use the court rulings they collect for their own research or for other purposes.

SLU will also process your personal data as required for SLU to comply with regulations on public documents and the archives of public authorities.

### Categories of personal data and sources

The personal data is collected from court rulings from courts in EU member states. The court rulings are collected from court case databases and national archives. In many cases, the information is already publicly available.

Personal data that may occur in the court rulings include names, addresses, other contact information, property designations, and identification numbers.

In the court rulings, sensitive personal data can also occur, including the categories ethnic origin, political opinions, religious or philosophical beliefs, and data concerning health.

## Legal basis

The legal basis for processing of personal data for the first-third purposes is Article 6.1 e) GDPR,<sup>1</sup> since the processing is necessary for the performance of a task carried out in the public interest. The public interest is stated in ch. 1 § 1 a Swedish Ordinance for the Swedish University of Agricultural Sciences (1993:221), where it is prescribed that the university conducts research in, among other things, nature conservation.

The processing of sensitive personal data for the first-third purposes is necessary for scientific research purposes and thereby allowed according to Article 9.2 j) GDPR. The research has been approved by the Swedish Ethical Review Authority.

The processing of personal data for the fourth purpose is not covered by the GDPR, since the openly accessible database will be covered by a publication license according to the Swedish Fundamental Law on Freedom of Expression, which has precedence over GDPR.<sup>2</sup> The processing of personal data is still necessary for the performance of a task carried out in the public interest. The public interest is stated in ch. 1 2 § Swedish Higher Education Act (1992:1434), where it is prescribed that the mandate of higher education institutions shall include collaboration for mutual exchanges with the surrounding community, as well as ensuring that the knowledge and expertise found at the higher education institution bring benefit to society. GDPR is also taken into account since all names and other contact information in the court rulings are blackened.

## The principle of public access to information

As a public authority, SLU must apply the principle of public access to official documents. This means that all official documents, including personal data, that are not considered working material are public and can be released to anyone who requests them. However, if a document contains data that is subject to confidentiality, the document will not be released.

## Transfer of personal data

The personal data will be transferred to the universities that have researchers represented in the project (Stockholm University and Uppsala University in Sweden, Oviedo University in Spain, and Toulouse University1 Capitole in France).

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<sup>1</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation, GDPR).

<sup>2</sup> Article 85 GDPR and ch. 1 § 7 Swedish Act containing supplementary provisions to the EU General Data Protection Regulation (SFS 2018:218).

## International transfer of personal data

The personal data will be transferred using a cloud service provided by Infomaniak, a company seated in Switzerland. The EU Commission has determined that Switzerland offers an adequate level of data protection.

## Storing data

The personal data are stored as long as is required to fulfil the purposes.

The personal data will also be stored for as long as required by the Swedish Public Access to Information Act and the regulations on the archives of public authorities. This means the personal data will be stored at least ten years after the end of the project.

## Your rights

You have the right, under certain circumstances, to have your personal data erased, corrected, or limited. You also have the right of access to the personal data being processed, and you have the right to object to the processing of your data. To exert your rights, contact [dataskydd@slu.se](mailto:dataskydd@slu.se).

## Comments

If you have any comments on the processing of personal data at SLU, contact [dataskydd@slu.se](mailto:dataskydd@slu.se), 018-67 20 90.

If you are not happy with the answer provided by SLU, you can take your complaint to the Swedish Authority for Privacy Protection, [imy@imy.se](mailto:imy@imy.se) or 08-657 61 00.

Read more about the Swedish Authority for Privacy Protection at <https://www.imy.se/other-lang/>