

Privacy Policy for the Helga Pedersen Moot Court Competition

Summary

Who we are

The data controller for the processing activities within this Policy is the European Law Students' Association (ELSA):

- Address: 239 Boulevard Général Jacques 1050 Ixelles, Brussels, Belgium
- E-mail: secgen@elsa.org
- Phone: +32 2646 2626

The data processing done in connection with the Regional Rounds you participate in is done under the Joint-Controllership of the European Law Students' Association and the Regional Round Organiser:

Regional Round Ankara

ELSA Ankara:
Address: Beştepe Mahallesi
Nergiz Sokak 7/2 Via Flat İş
Merkezi Ofis 27-28
Yenimahalle, 06560, Ankara,
Türkiye
E-mail:
academicactivities@tr.elsa.org
Phone: +90 542 634 73 36

Regional Round St. Gallen

ELSA Switzerland:
Address: Rämistrasse 74/67,
8001 Zurich, Switzerland
E-mail: president@ch.elsa.org
Phone: +41 79 108 63 91

Regional Round Dublin

ELSA Ireland:
Address: Ireland C/O Room
302, New House,
Department of Law,
Maynooth University,
Maynooth, Co. Kildare,
Ireland
E-mail:
competitions@ie.elsa.org
Phone: +353 87 602 1674

Personal data we process

- Personal Identification (e.g. name, surname, nationality, gender, passport details);
- Education background (e.g. level of studies completed, studies currently pursued);
- Billing information (e.g. account number, banking details, amounts owed, amounts paid);
- Participation in the Competition (e.g. team number, clarification questions, written pleadings, assigned Regional Round, participation in the Final Oral Round);
- Performance in the Competition (e.g. scores, evaluation by the panellists, prizes won, content of the team appearance sheets and team evaluation sheets);

- Contact details (e.g. e-mail, phone number, physical address);
- Health data (dietary restrictions, allergies and other special requirements, including accessibility requirements).

Purposes of the Processing

- To allow your participation in the HPMCC;
- To register you in the Regional/Final Oral Rounds of the HPMCC;
- To answer your inquiries and provide support;
- To contact you;
- To process your health data in order to provide you with proper meals and facilities adapted to your restrictions;
- To transfer your personal data to the Council of Europe in the course of your participation in the HPMCC;
- To maintain and improve the HPMCC;
- To notify you about changes to our Privacy Policy;
- To comply with applicable legislation;
- For the legal enforcement of claims and rights.

Your rights

You possess the following data protection rights, that you can exercise by reaching out to us:

- Right to Access: you can request a copy of your personal data;
- Right to Correction: you can request us to rectify inaccuracies or incompleteness in your personal data;
- Right to withdraw consent: you have the right to withdraw your consent at any time, affecting future processing;
- Right to erasure: you have the right to request the deletion of your personal data if it is no longer needed for the purposes it was collected or processed unlawfully;
- Right to restrict processing: you have the right to request the limitation of our processing activities, under certain circumstances;
- Right to data portability: you can request that we transmit your personal data to another data controller;
- Right to object to processing: under certain circumstances, you can object to our processing activities based on your specific situation;
- Right to file a complaint with a supervisory authority: you always have the right to lodge a complaint with a data protection authority if you believe that our data processing activities are unlawful.

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Privacy Policy for the Helga Pedersen Moot Court Competition

1 - About us

Welcome to our privacy policy ("Privacy Policy"), which outlines how we handle and safeguard your personal data when participating in the Helga Pedersen Moot Court Competition ("HPMCC").

Unless stated otherwise, the data processing is managed by the European Law Students' Association (ELSA), located at 239 Boulevard Général Jacques 1050 Ixelles, Brussels, Belgium (referred to as "the Association", "we", "our", or "us"). The Association is responsible for the data processing activities detailed in this policy and acts as the data controller.

When you participate in the Regional Rounds of the Competition, the data processing related thereto will be processed under the joint-responsibility of the Association and the respective Regional Round Organiser. Both entities are responsible for the data processing and act as joint-controllers. The contact information of each Regional Round Organiser is:

Regional Round Ankara

ELSA Ankara:
Address: Beştepe Mahallesi
Nergiz Sokak 7/2 Via Flat İş
Merkezi Ofis 27-28
Yenimahalle, 06560, Ankara,
Türkiye
E-mail:
academicactivities@tr.elsa.org
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8001 Zurich, Switzerland
E-mail: president@ch.elsa.org
Phone: +41 79 108 63 91

Regional Round Dublin

ELSA Ireland:
Address: Ireland C/O Room
302, New House,
Department of Law,
Maynooth University,
Maynooth, Co. Kildare,
Ireland
E-mail:
competitions@ie.elsa.org
Phone: +353 87 602 1674

Unless otherwise specified in this privacy policy, the terms used here have the same definitions outlined in the European Union's General Data Protection Regulation ("GDPR").

2 - Personal Data Collection

Categories of Personal Data Collected

We gather and receive personal information for various purposes associated with management of the HPMCC. Specifically, we process the following categories of personal data:

- Personal Identification (e.g. name, surname, nationality, gender, passport details);
- Education background (e.g. level of studies completed, studies currently pursued);
- Billing information (e.g. account number, banking details, amounts owed, amounts paid);
- Participation in the Competition (e.g. team number, clarification questions, written pleadings, assigned Regional Round, participation in the Final Oral Round);
- Performance in the Competition (e.g. scores, evaluation by the panellists, prizes won, content of the team appearance sheets and team evaluation sheets);
- Contact details (e.g. e-mail, phone number, physical address);
- Health data (dietary restrictions, allergies and other special requirements, including accessibility requirements).

You are under no obligation to provide your personal data. Nonetheless, it's important to be aware that we cannot ensure your full participation without the essential personal data required to fulfil the contractual obligations between you and us.

How we collect personal data

We collect personal data about you in different ways, starting from your registration to your subsequent participation in the HPMCC.

In particular, we collect personal data either directly or indirectly from you.

Direct Collection

- When you register to participate in the HPMCC through our website form;
- When you submit your written pleadings and clarification questions through our website form;
- When you register to participate in the Regional/Final Oral Rounds of the HPMCC through our website form;
- Throughout your participation in the Competition, regarding your performance, as well as your inquiries.

Indirect Collection

- From our judges and reviewers of the written and oral pleadings, who provide us with the scores of each team.

3 - Legal Basis and Purposes

Our justification for collecting and using the personal data as outlined in this Privacy Policy is contingent on the type of personal data collected and the specific objectives for which it is gathered.

Contractual Obligations: We collect and process personal data to fulfil our contractual obligations or to take actions related to a contract with you. In particular, we rely on contractual obligations:

- To allow your participation in the HPMCC;
- To register you in the Regional/Final Oral Rounds of the HPMCC;
- To answer your inquiries and provide support;
- To contact you.

Consent: We may rely on your voluntary consent, which you provided when sharing your personal data. In particular, we rely on your consent, to the extent agreed in the declaration of consent:

- To process your health data in order to provide you with proper meals adapted to your food restrictions, as well as any other required facilities;
- To transfer your personal data to the Council of Europe in the course of your participation in the HPMCC.

Legitimate Interests: We utilise legitimate interests as the legal basis for processing, based on our evaluation that the processing is equitable and justifiable and does not infringe upon your interests or fundamental rights and freedoms. Our legitimate interests are, in particular:

- To maintain and improve the HPMCC.

Legal Compliance: We process personal data when necessary to comply with legal obligations and regulations. In particular, we rely on legal compliance, to:

- Notify you about changes to our Privacy Policy;
- Comply with applicable legislation;
- The legal enforcement of claims and rights.

4 - Data Retention

We keep personal data for the duration necessary to fulfil the purposes for which it was obtained, per legal and regulatory obligations, as well as contractual agreements. Once this retention period concludes, we either delete or irreversibly anonymise your personal data.

5 - Data Transfers & Sharing

Data Recipients

We collaborate with third-party service providers to support the functioning of our services, as well as with administrative, regulatory and public authorities when there is a legal or administrative obligation we are bound to regarding the sharing of your personal data (“data recipients”). Our service providers assist in various activities, such as facilitating payments and providing IT infrastructure. They are granted access to your personal data solely to the extent required to carry out these tasks.

Types of data recipients who may access your personal data:

- Regional Round Organisers;
- Cloud Server Providers;
- Online Meeting Platforms;
- IT Software Providers;
- Partner organisations whom we engage with in the course of the organisation of the HPMCC (you may find a list of our current partners [here](#));
- Auditors and payroll tax auditors.

Third-Country and International Organisation Transfers

It's worth noting that we engage data recipients located in third countries, which are regions outside the EU. These third countries may not offer a level of data protection equivalent to that of the EU.

To ensure the security of your personal data during international transfers, we adhere to our contractual obligations and adhere to the applicable data protection regulations. These safeguards encompass:

- Transferring data to countries that have received an adequacy decision by the European Commission.
- Implementing standard contractual clauses provided by the European Commission, per [Commission Implementing Decision \(EU\) 2021/914 of 4 June 2021](#), as well as supplementary measures for the transfer where we deem those measures as necessary to ensure an essentially equivalent level of protection to that of the EU.

We and/or our service providers transfer your personal data and process it in various third countries. These countries include:

- The United States of America;
- Switzerland;
- Türkiye.

We furthermore may transfer your personal data to international organisations in the course of our activities that involve you. These organisations are:

- The Council of Europe.

In cases where the transfer to a third country or international organisation is based on the usage of standard contractual clauses provided by the European Commission, you have the right to ask for a copy of the clauses under which your personal data is transferred to a third country. Bear in mind that the contract will be redacted in what concerns business secrets or other confidential information (e.g. personal data of other individuals). You may ask for the applicable copies by reaching out to: secgen@elsa.org.

In all other cases, we shall request your consent before transferring the personal data to the relevant third countries or international organisations. In the event of a transfer to a third country where adequacy decisions or appropriate safeguards are absent, it is conceivable that authorities in the third country, such as intelligence services, could access the transferred data. Consequently, the enforceability of your data subject rights may not be guaranteed.

Data Disclosure

We may disclose your personal data when we have a sincere belief that such disclosure is essential for the following purposes:

- To adhere to a legal obligation, which includes cases where such disclosure is mandated by law or in response to valid requests from public authorities, such as a court or government agency.
- To safeguard the security of our services and safeguard our rights or property.
- To avert or investigate potential misconduct linked to our operations.

6 - Data Security

We implement reasonable technical and organisational security measures that we consider appropriate to safeguard your stored personal data from manipulation, loss, or unauthorised access by third parties. Our security measures are continuously updated to align with advancements in technology.

We place significant emphasis on internal data privacy. Our staff and engaged service providers are bound by confidentiality and must comply with relevant data protection laws. Moreover, they are granted access to personal data only to the extent necessary for the performance of their respective duties or obligations.

We value the security of your personal data; however, please bear in mind that no method of transmitting data over the internet or electronic storage can be guaranteed 100% secure. While we make every effort to employ commercially reasonable measures to protect your personal data, we cannot provide absolute security. We recommend employing antivirus software, firewalls, and similar tools to enhance the protection of your system.

7 - Your Rights

You possess the following data protection rights. To exercise these rights, please reach out to us at the provided address or send an email to secgen@elsa.org. Please be aware that we may ask you to verify your identity before addressing your requests.

- **Right to Access:** You have the right to request a copy of your personal data, which we will furnish to you in an electronic format.
- **Right to Correction:** You can request us to rectify any inaccuracies or incompleteness in your data.
- **Right to Withdraw Consent:** **If you've given your consent for the processing of your personal data, you have the right to withdraw it at any time, affecting future processing, but not the lawfulness of the data processing activities before it. Once we receive your withdrawal of consent, we will no longer process your information for the purpose(s) you initially consented to, unless there exists another legal basis for processing.**
- **Right to Erasure:** You have the right to request the deletion of your personal data when it is no longer necessary for the purposes it was collected, or if it was processed unlawfully.
- **Right to Restrict Processing:** You can request the limitation of our processing of your personal data in cases where you believe it to be inaccurate, processed unlawfully, or no longer needed for the original purpose, but cannot be deleted due to legal obligations or your own request.
- **Right to Data Portability:** You can request that we transmit your personal data to another data controller in a standard format (e.g., Excel), if you provided this data to us and we processed it based on your consent or to fulfil contractual obligations.
- **Right to Object to Processing:** **If the legal basis for processing your personal data is our legitimate interest, you have the right to object to such processing based on your specific situation. We will respect your request, unless we have a compelling legal basis for the processing that outweighs your interests or if we need to continue processing the data for legal defence purposes.**
- **Right to File a Complaint with a Supervisory Authority:** If you believe that the processing of your personal data violates data protection laws, you have the right to lodge a complaint with a data protection supervisory authority. In the EU and EEA, you can

exercise this right by contacting a supervisory authority in your country of residence, workplace, or where you believe the infringement occurred. You can find a list of relevant authorities here: https://edpb.europa.eu/about-edpb/about-edpb/members_en.

We will provide you with an answer to your requests within 30 days of receipt. This response timeframe may be extended if the request is particularly complex, of which we will inform you promptly. Within that timeframe, we will either comply with your request or provide you with the reasons why your request cannot be complied with.

8 - Changes to this Privacy Policy

Our Privacy Policy may be updated periodically. We encourage you to check this Privacy Policy from time to time for any modifications.

We furthermore put in our best efforts to inform you of any changes to this Privacy Policy, by adopting appropriate means to grab your attention to these changes. To that end, we will inform you by e-mail of any changes to this Policy that apply to you.

We ensure that we inform you before proceeding to these changes, by notifying you through the previous means at least 14 days before making the changes come into force.

Changes to this Privacy Policy become effective once they are published on this page.

9 - Contact Us

If you have any inquiries or concerns regarding this Privacy Policy, please do not hesitate to contact us at:

The European Law Students' Association (ELSA)
239 Boulevard Général Jacques 1050 Ixelles, Brussels, Belgium
secgen@elsa.org.