IUCN Data Protection Policy

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Applicable to	As defined in section 2 "Applicability of the Policy"
Purpose	The aim of this Policy is to communicate the general principles and guidelines applicable to the protection of Personal Data.
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Document History

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Contents

Definitions

Anonymisation means the process of modifying data sets, making it permanently impossible to identify individuals.

Data Breach means a breach of security leading to the accidental or unlawful destruction, loss or alteration of – or to the unauthorized disclosure of, or access to – Personal Data transmitted, stored or otherwise processed.

Data Controller means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the Processing of Personal Data.

Data Processor means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the Data Controller.

Data Subject(s) means a natural person (i.e. an individual) who can be identified, directly or indirectly, in particular by reference to Personal Data.

Data Transfer mean any act that makes Personal Data accessible, whether on paper, via electronic means or the internet, or any other method to any Third Party not linked in a way or another to IUCN.

International Organisation(s) means an organisation and its subordinate bodies governed by public international law, or any other body which is set up by, or on the basis of, an agreement between two or more countries.

Personal Data means any information relating to an identified or identifiable natural person. This may include an identifier such as a name or audio-visual materials, an identification number, location data or an online identifier; it may also mean information that is linked specifically to the physical, physiological, genetic, mental, economic, cultural or social identity of a Data Subject. The term also includes data identifying or capable of identifying human remains.

Processing means any operation or set of operations – by automated and other means – that is performed upon Personal Data or sets of Personal Data, such as collecting, recording, organizing, structuring, storing, adapting or altering, retrieving, consulting, using, disclosing by transmitting, disseminating or otherwise making available, aligning or combining, or erasing.

Recipient means Third Party, public authority, agency or other body – that is, someone or something other than the Data Subject or IUCN – to which the Personal Data is disclosed.

Sensitive Personal Data means specific Personal Data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and genetic Data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

Third Country means any other country or jurisdiction outside of Switzerland.

Third Party means a natural or legal person, public authority, agency or body other than the Data Subject or IUCN.

1. Introduction

IUCN is committed to safeguarding and protecting Personal Data of private individuals. IUCN is aware of the risks involved, and of the importance of having appropriate data protection standards in place.

In the scope of its mission, which consists of influencing, encouraging and assisting societies throughout the world to conserve the integrity and diversity of nature and to ensure that any use of natural resources is equitable and ecologically sustainable, IUCN needs to gather and use certain information about individuals. These can include IUCN Members, Council and Commission members, donors, suppliers, business contacts, visitors to IUCN building, employees and other people the organization has a relationship with or may need to contact.

Safeguarding the Personal Data of all these persons is an essential aspect of protecting people's lives, integrity and dignity. The Processing of Personal Data touches all areas of IUCN's activity, whether operational or administrative.

This Policy describes the principles to be followed when Processing Personal Data. It also describes how these principles should be implemented and what needs to be done in case of a Data Transfer and Personal Data Breach event in order to comply with reporting requirements.

The aim of this Policy is to a) comply with national and international data protection laws and regulations, b) protect the rights of data subjects c) protect IUCN from the risks of Data Breach, and d) protect IUCN from undesired legal sanctions which may include hefty fines.

Defined terms appear in Capital letters throughout this Policy and are defined in the **Definitions section**.

2. Applicability of the Policy

This Policy applies to Personal Data processed by IUCN. It applies to: staff members of the IUCN Secretariat (including hosted staff, individuals seconded by other organizations and volunteers) regardless of location and office type, Council and Commission members, other IUCN stakeholders, anyone Processing Personal Data under the name of IUCN or using the IUCN logo or anyone using IT tools or systems provided by the IUCN Secretariat, collectively referred to as "IUCN Personal Data Users".

Further, it also applies to IUCN as a Data Controller or Data Processor with respect to Personal Data relating to Data Subjects.

This Policy comprises the internationally accepted data protection principles without replacing the existing national laws. It supplements the national data protection laws. The relevant national law will take precedence in the event that it conflicts with this Policy or it has stricter mandatory requirements than this Policy. In particular, the reporting requirements for data Processing under applicable national laws must be observed. The content of this Policy must also be observed in the absence of corresponding national legislation.

3. Principles of data processing

3.1 Legitimate and fair Processing

IUCN processes Personal Data in a lawful and fair manner in relation to the Data Subject. IUCN only processes Personal Data with respect to this Policy and applicable laws. In order to do so IUCN ensures that a legal basis of Processing Personal Data exists such as the following:

3.1.1 Consent of the Data Subject

IUCN ensures that consent is obtained from the Data Subject prior to Processing Personal Data. This consent is obtained in writing or electronically for the purposes of documentation and is valid only if given voluntarily. If, for any reason, the consent of the Data Subject is not given before Processing Personal Data, it should be secured in writing as soon as possible after the beginning of the Processing. IUCN takes particular care in Processing Sensitive Personal Data and will only do so with prior written consent of the Data Subject.

3.1.2 Legitimate Interest of the IUCN

IUCN may process Personal Data without express consent if it is necessary to enforce a legitimate interest of IUCN or a Third Party provided that interest is not overridden by the interests and rights of the individual. At IUCN, legitimate interest exists where there is a relevant and appropriate relationship between IUCN and the Data Subject such as where the data subject is a Council member, Commission member, IUCN Staff members etc.

3.1.3 Contractual obligation

IUCN may process Personal Data in order to enforce a contract entered into with the Data Subject or to comply with a contractual obligation.

3.1.4 Compliance with a legal obligation

In other cases, the Processing of Personal Data may be necessary to comply with applicable law.

3.1.5 Public interest

IUCN may process Personal Data for the performance of a task carried out in the public interest or in the exercise of official authority vested in IUCN.

3.2 Transparency

IUCN processes Personal Data in a transparent manner.

Communications with the Data Subject must be in clear and plain language, easily accessible and easy to understand. IUCN Personal Data Users must provide the Data Subject with sufficient information about the data Processing when Personal Data is obtained. The minimum information to be provided is included in **section 4.1 Right to receive information**.

IUCN Personal Data Users Processing Personal Data will decide how this information is to be communicated after taking into account security measures and the urgency of Processing.

3.3 Restriction to a specific purpose

When collecting Personal Data, IUCN Personal Data Users determine the specific purpose(s) for which data is processed, and only process it for those purposes. All Personal Data collected should be clearly documented including the purpose for collection.

3.4 Adequate and relevant data

The Personal Data handled by IUCN must be adequate, relevant and limited to what is necessary in relation to the purpose for which it is processed. This means that IUCN Personal Data Users should not process Personal Data unless it is necessary to process it in order to achieve the purpose for which it was obtained.

3.5 Accuracy

IUCN Personal Data Users must ensure that Personal Data kept on file is correct and kept up to date. Inaccurate or incomplete Personal Data should be rectified or deleted. The exception to this principle would be the case when a legitimate interest exists to retain Personal Data. Historical data, accurate at the time of collection can be kept for as long as it is required to be kept. Once historical data is no longer necessary it should be deleted.

3.6 Integrity and confidentiality

IUCN Personal Data Users must treat Personal Data in a confidential manner. They must ensure that Personal Data is securely stored with suitable organisational and technical measures to prevent unauthorized or illegal Processing.

3.7 Retention, destruction and archiving of data

IUCN keeps Personal Data for as long as it is necessary to perform its activities and as is required by applicable law. Personal Data not useful for IUCN should be deleted unless national legislation requires it to be retained for a certain period of time. IUCN will also delete Personal Data if the Data Subject withdraws his or her consent for Processing unless another legal basis of Processing the Personal Data exists which prevents IUCN from deleting the Personal Data.

IUCN may store Personal Data for archiving purposes for a determined period compatible with applicable laws.

4. Rights of the Data Subjects

IUCN respects rights conferred to Data Subjects to ensure protection of Personal Data. These rights include:

4.1 Right to receive information

At a minimum, IUCN Personal Data Users must provide the Data Subject with the following information when Personal Data is obtained:

- ✓ whether IUCN is the Data Controller;
- ✓ the purpose of Data Processing;
- ✓ third-parties to whom the data might be transmitted;
- ✓ the existence of this present Policy;

- ✓ the focal point for questions/concerns or complaints.

This information should be communicated to the Data Subject even in cases where the Personal Data was not obtained directly from the Data Subject.

4.2 Right to access

The Data Subject may request which Personal Data relating to him or her has been collected and stored, how the Personal Data was collected, and for what purpose. Requests from the Data Subject wishing to verify what Personal Data is held by IUCN must be submitted in writing using the online form located at [https://portals.iucn.org/dataprotection/requestform].

Disclosure of Personal Data should not be automatic. IUCN Personal Data Users must consider all the circumstances surrounding the request for access and any restrictions to access that may be applicable. Access to Personal Data will only be given to the Data Subject if his or her identity can be verified.

4.3 Right to rectification

If Personal Data is incorrect or incomplete, the Data Subject can request that it be corrected or supplemented. This will only be considered if the identity of the Data Subject can be verified. Upon verification of the allegation, IUCN will make the necessary change(s). In certain circumstances historical data may need to be kept in accordance with **section 3.5 Accuracy**.

4.4 Right to erasure – "Right to be forgotten"

The Data Subject may request his or her Personal Data to be deleted if the Processing of such Personal Data has no legal basis, or if the legal basis has ceased to apply. The same applies if the purpose behind the Data Processing has lapsed or has ceased to be applicable for other reasons.

However, the right to erasure does not apply, and Personal Data will continue to be retained:

- ✓ for the implementation of the Mission of IUCN;
- ✓ if it serves a public interest;
- ✓ for historical, statistical and scientific purposes; or
- ✓ for the establishment, exercise or defense of legal claims;
- ✓ for other legitimate interests (legal and financial).

4.5 Right to Personal Data portability

The Data Subject has the right to receive his or her Personal Data in a structured, commonly used and machine-readable format and has the right to transfer such Personal Data to another Data Controller provided the Processing was based on consent or was necessary for the performance of a contract and was carried out by automated means.

Where technically feasible the Data Subject may request IUCN to transfer his or her Personal Data to another Data Controller.

4.6 Right to object

The Data Subject may object at any time, on compelling legitimate grounds relating to their particular situation, to the Processing of Personal Data concerning them. Such objection will be accepted if the fundamental rights and freedoms of the Data Subject in question outweigh

IUCN's legitimate interests, or the public interest.

An objection to Personal Data Processing does not apply if a legal, contractual or financial provision requires the Personal Data to be processed.

4.7. Right to restriction of processing

The Data Subject has the right to restrict the Processing of his or her personal data where there exists a particular reason for the restriction. This means that the Data Subject can limit the way that an organisation uses his or her Personal Data. This may be because:

- ✓ the accuracy of the Personal Data is contested by the Data Subject;
- ✓ the Processing is unlawful and the Data Subject opposes the erasure of the Personal Data and requests the restriction of their use instead;
- ✓ IUCN no longer needs the Personal Data for the purposes of the Processing, but the Personal Data is required by the Data Subject for the establishment, exercise or defense of legal claims;
- ✓ the Data Subject has objected to the Processing pending the verification whether the legitimate grounds of IUCN override those of the Data Subject.

4.8. Automated individual decision-making, including profiling

The Data Subject has the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her.

5. IUCN commitments

5.1 Responsibility/Accountability

5.1.1 It is the responsibility of IUCN Personal Data Users to ensure that Personal Data processed for or on behalf of IUCN, is in compliance with this Policy.

5.1.2 It is the responsibility of IUCN Personal Data Users to ensure that Data Subjects:

- ✓ understand that IUCN is bound by this IUCN Data Protection Policy to protect Personal Data of Data Subjects participating in IUCN work;
- ✓ consent to their Personal Data being processed in the context of IUCN work;
- ✓ agree that their Personal Data could be transferred to countries with laws that may not provide adequate level of protection as in their country or Switzerland (where IUCN is headquartered); and
- ✓ are informed that they can contact IUCN using the online form located at [https://portals.iucn.org/dataprotection/requestform] to ask any questions they may have regarding their Personal Data.

5.1.3 IUCN Personal Data Users will ensure that Third Parties they allow to process Personal Data:

- ✓ agree to use the Personal Data they access only in the context of IUCN work;
- ✓ comply with this Policy and applicable laws. This is so even when the IUCN Personal Data Users provide access to Personal Data to people within their network, Third Party or through social media, other online groups, chatrooms or bulletin boards etc.

- ✓ understand that they remain bound by these obligations with regard to Personal Data/work undertaken while they were part of IUCN even after their contribution to IUCN work ends.

5.2 IUCN Portals and tools

IUCN Personal Data Users may have access to Personal Data in IUCN Portals. IUCN Personal Data Users undertake to use Personal Data exclusively for IUCN work and will ensure that Personal Data under their responsibility is kept up-to-date, in the IUCN portal and any other IT tool in which IUCN Personal Data User is required to enter Personal Data.

Use of the IUCN Union Portal is governed by a separate data policy available at [https://portals.iucn.org/union/sites/union/files/doc/union_portal_data_policy_en.pdf].

To the extent possible, IUCN Personal Data Users are required to use IT tools provided by IUCN Secretariat (such as the shared drives, Constituents Relationship Management ("CRM"), Human Resources Management System ("HRMS"), Commission System ("CS"), Union Portal etc.) as they comply with the requirements of this Policy.

5.3 Arrangements with our partners (including consultants)

In particular, when IUCN collaborates with another entity in Processing Personal Data, IUCN Personal Data Users should ensure that the responsibilities of all the parties concerned as described in this Policy or applicable law are outlined very clearly and set out in a contract or other legally binding arrangement.

5.4 Data protection by design and by default

In particular, while designing a database and drafting procedures for collecting Personal Data, the principles of data Processing and the rights of Data Subjects stipulated in the present Policy must be taken into account and incorporated to the greatest extent possible.

5.5 Data security and storage

IUCN Personal Data Users should process Personal Data in a manner that ensures an appropriate degree of security. This includes prevention of unauthorized access to or use of Personal Data and the equipment used for data Processing. This relates in particular to access rights to databases, physical security, computer security and network security, the duty of discretion and the conduct of all IUCN Personal Data Users who have access to Personal Data.

IUCN Personal Data Users undertake to store electronic equipment and Personal Data safely. IUCN has implemented technical measures to ensure that Personal Data stored electronically (such as on shared drives, Union Portal, CRM, HRMS, CS etc.) is protected from unauthorised access, accidental deletion and malicious hacking attempts. To the extent possible, Personal Data should be stored on those systems and IUCN Personal Data Users should avoid keeping Personal Data on personal devices (such as laptops, tablets, smart phones, USB Drives, DVDs etc.) and should protect by strong passwords access to any system used. In cases where IUCN Personal Data Users are using external tools not provided by IUCN Secretariat to process Personal Data, they undertake to ensure that appropriate technical and organisational measures to protect Personal Data are implemented prior to processing it and should formally document such use and keep the documentation available for auditing purposes.

When Personal Data is stored physically or when Personal Data usually stored electronically

has been printed it should be kept in a physically secure place where unauthorized people cannot see it (e.g. in a locked drawer or filing cabinet). Papers and printouts containing Personal Data should not be left where unauthorized people could access them (e.g. on a printer) and should be shredded and disposed of securely when no longer required.

In any case, when retention of Personal Data is no longer necessary, all records should be securely destroyed or anonymised. Anonymisation of Personal Data is allowed if it is necessary to IUCN's Mission.

5.6 Newsletters

It is the responsibility of IUCN Personal Data Users in charge of newsletters to ensure that express consent is obtained from the Data Subjects and recorded.

Where the Data Subject has not given his or her express consent to receive newsletters, his or her Personal Data should be disabled.

5.7 End of relationship with IUCN

Individuals whose mandate, employment relationship or any other type of relationship with IUCN has ended, undertake to destroy any Personal Data in their possession which this Policy applies to and will certify its destruction in writing (if required). For IUCN's staff this will be done in accordance with Human Resources instructions.

5.8 Forms, CVs, and other supporting documents

Application forms, CVs and supporting documents should not be printed, shared by email or kept on local drives. Copies temporarily downloaded on the local drives should be deleted (e.g. by clearing the internet browser cache and/or deleting from the "Download" directory or equivalent). Where an email is received for an unsolicited application, the potential applicant shall be advised to use the appropriate system to submit his or her application (such as the HRMS for staff applications or the CS for Commission Member applications) and the email (together with its attachments) shall be deleted.

5.9 Data Breaches

Any Personal Data breach leading to the accidental or unlawful destruction, loss or alteration of – or to the unauthorized disclosure of, or access to – Personal Data transmitted, stored or otherwise processed must always be reported using the online form located at [https://portals.iucn.org/dataprotection/requestform]. In the event of a Data Breach, the Director General will ensure there is an appropriate response which means:

5.2.1 Establishing a team to investigate the Data Breach, and develop remedial plan.

5.2.2 Informing the persons affected of the Data Breach without undue delay according to international or local regulations.

5.2.3 Informing the relevant local authorities according to international or local Regulations.

5.10 No commercial use of Personal Data

IUCN does not make commercial use of Personal Data.

5.11 Data Transfer

5.11.1 External Data Transfer

IUCN ensures that Personal Data is only transferred to jurisdictions or International Organisations that ensure adequate level of protection. Should it be necessary to transfer Personal Data to a Third Country or an International Organisation that does not provide adequate level of protection, IUCN will ensure that it maintains appropriate safeguards such as entering into appropriate contractual clauses in order to safeguard Personal Data.

When transferring Personal Data to a Third Party, IUCN Personal Data Users must ensure that:

- ✓ the Recipient will apply a protection level equivalent to or higher than this Policy;
- ✓ appropriate safeguards are put in place where a Third Country or an International Organisation does not provide adequate level of protection;
- ✓ Processing by the Recipient is restricted to the purpose authorized by IUCN and;
- ✓ Data Transfer is compatible with the reasonable expectations of the Data Subject.

5.11.2 Data Transfer within IUCN systems

For the sake of clarification, Data Transfer within IUCN systems carried out between IUCN Personal Data Users in different IUCN Secretariat's Offices or between different components of IUCN are permitted and do not necessitate a written agreement provided the principles set out in this Policy are respected.

5.12 Documentation of Processing

In order to demonstrate compliance with this Policy, IUCN maintains records on the categories of Processing activities within its remit. IUCN Personal Data Users not using IT tools and systems provided by the IUCN Secretariat should formally document such use and keep the documentation available for auditing purposes.

6 Implementation

6.1 Effective implementation

Effective implementation of these rules is crucial to ensure that individuals are able to benefit from the protection afforded by them.

It is the responsibility of all IUCN and IUCN Personal Data Users to ensure implementation of the above principles.

6.2 Authorized Processing

Personal Data Processing should be in accordance with the purposes authorized by IUCN in the course of executing professional duties.

IUCN Personal Data Users must not use IUCN Personal Data for private or commercial purposes or disclose it to unauthorized persons.

6.3 Reporting of non-compliance

Allegations of non-compliance with this Policy should be reported using the online form located at [https://portals.iucn.org/dataprotection/requestform].

6.4 Consultation and means of communication

IUCN staff may consult with their line managers and/or the GDPR Working Group as applicable if unsure of any aspects of this Policy.

IUCN Commission members may contact the Commissions Support Unit with any questions they may have.

Council members may address their questions to governancesupport@iucn.org.

Personal Data requests from Data Subjects (e.g. for access, rectification or deletion of data) should be submitted using the online form located at [https://portals.iucn.org/dataprotection/requestform]. Any Personal Data requests received via email or in hard copy should be forwarded to dataprotection@iucn.org. A response email will be sent to the Data Subject with a link to the online form asking the Data Subject to complete and submit it.

IUCN Secretariat will ensure practical communication and training from time to time.

7 Modification of the Policy

This Policy may be updated from time to time. Any modifications to this Policy must be in writing and approved by the Director General.