



**Privacy Policy**  
[www.projectsunflowers.org](http://www.projectsunflowers.org)  
valid as of 3 November 2023

This Privacy Policy provides information regarding **the processing of personal data by Foundation Sunflowers, based in Warsaw, Poland, in accordance with Articles 13 and 14** of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals 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").

The Privacy Policy applies to the processing of data of individuals who use [www.projectsunflowers.org](http://www.projectsunflowers.org) (the "**Service**"), interact with the Foundation, including through the use of social media, participation in webinars and trainings of the Foundation (the "**User**") or whose data has been provided to the Foundation by third parties.

#### 1. ADMINISTRATOR

1. The administrator of the personal data of the website's users available at [www.projectsunflowers.org](http://www.projectsunflowers.org) is **the Foundation Sunflowers with its registered office in Warsaw, Poland** ( Siedmiogrodzka street no. 5/51, 01-204 Warsaw), entered in the Register of Associations, Other Social and Professional Organisations, Foundations and Independent Public Health Care Units of the National Court Register kept by the District Court for the Capital City of Warsaw in Warsaw, XIII Commercial Division under KRS no.: 0001019393, NIP: 5273044660 ("**Administrator**").
2. Contact with the Administrator is possible by means of postal correspondence to the above-mentioned address and via e-mail address: [contact@projectsunflowers.org](mailto:contact@projectsunflowers.org)

#### 2. SERVICE AND SUNFLOWERS PROJECT

- 2.1. The Service was established in order to collect information about evidence and victims of crimes committed in Ukraine as of 24 February 2022 and to provide this data to authorised national and international law enforcement and justice authorities (the "**Project**").
- 2.2. The Administrator collects the aforementioned information through a dedicated application form available on the Service (the "**Form**").
- 2.3. The data comes from users of the Website who submit the Form to the Administrator. In the Form, the User may provide both his/her personal data and the personal data of third parties.

#### 3. PURPOSES AND GROUNDS FOR DATA PROCESSING

- 3.1. The Administrator processes the following personal data

##### 3.1.1. Users:

- 3.1.1.1. **who have requested to be contacted by the Foundation in order to enable it to provide them with information about crimes** - the legal basis is consent (Article 6(1)(a) GDPR). The administrator processes the following data: name, surname, telephone number, email address, language, country of residence.
- 3.1.1.2. **who have registered an account with the Project** - the legal basis is the necessity of the processing to perform the concluded contract with the personal data subject (Article 6(1)(b) GDPR). The Administrator processes the following data: surname, e-mail address.
- 3.1.1.3. **who started to fill in or sent the Form to the Administrator for the purpose of collecting information about evidence and victims due to crimes committed in Ukraine as of 24 February 2022 and forwarding it to authorised authorities** - the legal basis is the necessity of processing for the performance of the concluded contract with the personal data subject (Art. 6(1)(b) GDPR) and the user's consent to the processing of special category personal data (Article 6(1)(a) in conjunction with Article 9(2)(a) GDPR) and data provided on an optional basis (Article 6(1)(a) GDPR).
- 3.1.1.4. **contacting the Administrator**, in order to handle and respond to enquiries addressed by Users to the Administrator - the legal basis for processing is the consent of the data subject (Article 6(1)(a) GDPR). The Administrator processes the User's personal data provided voluntarily in the content of the message;
- 3.1.1.5. **those interacting with the Administrator via social network profiles**, in order to administer the Administrator's profile on social networks, by responding to messages, comments and reactions, as well as for statistical and advertising purposes carried out by means of the tools provided by these social networks - on the basis of the Administrator's legitimate interest (Article 6(1)(f) GDPR), which is communication with social network users and provision of informative content about the Administrator and its activities. The Administrator processes User data publicly available on the social network, such as name, surname, image and those provided voluntarily in the content of a message or comment.
- 3.1.1.6. **enrolled in a webinar or training organised by the Administrator** in order to enable the User to participate in the event - the legal basis for processing is the User's consent expressed by signing up for the event (Article 6(1)(a) GDPR). The Administrator processes User data such as name, surname, email address.
- 3.1.1.7. **subscribed to the newsletter** in order to receive information concerning the Administrator by electronic mail (e-mail) - the legal basis for processing is the Administrator's legitimate interest in marketing its services (Article 6(1)(f) GDPR) in connection with the User's consent expressed in accordance with the Act on Providing Services by Electronic Mail and the Telecommunications Law. The Administrator processes the User's personal data entered by the User in the contact form, i.e. name, surname and e-mail address.

- 3.1.2. **The persons indicated by the Users within the Project via the Form** - in order to realise the legitimate interest of the Administrator and the User who provided the data of these persons (Article 6(1)(f) GDPR), consisting in the execution of the Project by the Administrator and for the purposes of evidentiary proceedings concerning the event referred to in the form sent by the User.

- 3.2. In addition, the personal data of the persons whose data the Administrator processes may also be processed by the Administrator for the purposes of possible establishment, investigation or defence against claims. The legal basis for the processing is the legitimate interest of the Administrator (Article 6(1)(f) GDPR) to protect one's rights or for the Administrator to assert them.

#### 4. WHERE DOES THE DATA WE PROCESS COME FROM?

- 4.1. The data of Users who browse the Portal, fill in and send the Form within the Project, subscribe to a webinar or newsletter or otherwise contact the Administrator come directly from the person concerned.
- 4.2. Data of persons indicated in the Form by Users, including witnesses of reported incidents or those who can facilitate contact with the User, are provided to the Administrator by Users within the Form sent to the Administrator. The data that the Administrator processes as a result of receiving it from Users includes name, surname, email address, telephone number, social media profile. The Administrator does not collect or require this data itself.

#### 5. VOLUNTARINESS OF DATA PROVISION AND CONSENT

The provision of data by the User is voluntary, but necessary for the purpose for which they are provided, i.e. the collection of information about events in Ukraine, for the purposes of communication, including via social media, or participation in an event organised by the Administrator. Without their provision, it will not be possible to achieve the particular purpose the User wishes to achieve, i.e. for the Administrator to respond or for the User to participate in an event.

## 6. PERIOD OF PERSONAL DATA PROCESSING

- 6.1. The Administrator will process personal data for the following period of time:
  - 6.1.1. personal data processed on the basis of the User's consent - until the consent is withdrawn; at the same time, in the case of Users who have declared their wish to contact the Foundation in order to enable them to provide information about the crimes, the data shall be processed for no longer than 1 month from the moment of declaring the wish to contact;
  - 6.1.2. the personal data of Users who have registered an account and the data provided within the Form - for the duration of the contract for the provision of electronic services between the User and the Administrator;
  - 6.1.3. personal data of persons whose data was provided by the User in the Form, which is processed on the basis of the legitimate interest of the Administrator - for the entire duration of such interest, but no longer than until the User or the person concerned objects to such processing; in the case of data provided in the Form, which was saved and not sent to the Administrator - the data will be processed no longer than 6 months from the moment of saving the Form;
  - 6.1.4. personal data processed within the framework of social networking sites - for the duration of the Administrator's legitimate interest (but no longer than until an objection is made to such processing), the functioning of a given social networking service or the deletion of the User's account in this service.
  - 6.1.5. personal data of persons given for the purpose of receiving the newsletter - for as long as there is a legitimate interest of the Administrator consisting in marketing its own services, no longer than until an objection is raised or consent is withdrawn on the basis of the Act on the provision of electronic services or Telecommunications Law;
  - 6.1.6. personal data of persons enrolled in webinars or trainings - until the webinar or training is over.
- 6.2. The period of personal data processing may be extended by the Administrator until the statute of limitations for potential claims related to the data processing.

## 7. RECIPIENTS OF DATA

- 7.1. The personal data of Users who submitted the Form and the personal data of persons indicated in the Form as witnesses or contact persons shall be made available by the Administrator at the request of competent national and international law enforcement and justice authorities pursuant to applicable laws.
- 7.2. Recipients of personal data of persons whose data is processed by the Administrator are entities cooperating with the Administrator in the performance of their duties, providers of IT, hosting, e-mail, accounting, legal services, providers of social networks, providers of real-time communication platforms, providers of newsletter tools.
- 7.3. The third parties referred to above are obliged under the relevant agreements to use the data entrusted to them only for the purpose indicated by the Administrator. These entities are also obliged to adequately secure the personal data and keep it confidential.

## 8. SECURITY OF PERSONAL DATA

- 8.1. **In order to take care of the security of your personal data and other information provided to us, in particular through the Form, we have implemented appropriate technical and organisational measures. We take a number of measures to ensure that the processing of your data complies with the GDPR and other data protection legislation.**
- 8.2. In selecting the safeguards to be applied, we have taken into account, among other things, the nature of the personal data you provide to us, as well as the risk of a breach of your rights in the event of a breach of the protection of your personal data and its likelihood. All the solutions we use are designed to protect your rights.
- 8.3. Furthermore, through the Service, including the Form, we only collect the data necessary for the purposes set out in the Privacy Policy.
- 8.4. Only necessary and authorised persons also have access to the processing of personal data. They have also been obliged to maintain confidentiality or are covered by the obligation of professional secrecy.
- 8.5. Personal data of Users and third parties provided by Users are not subject to automated decision-making, including profiling.

## 9. RIGHTS OF DATA SUBJECTS

- 9.1. Any person whose personal data is processed by the Controller has the right to:
  - 9.1.1. access to the data and to obtain a copy of the data,
  - 9.1.2. rectification, erasure, restriction of processing, data portability,
  - 9.1.3. **if personal data are processed on the basis of consent, the data subject has the right to withdraw it at any time. The withdrawal of consent does not affect the lawfulness of processing on the basis of consent until the consent is withdrawn.**
  - 9.1.4. **to object at any time to the processing of his/her data for direct marketing purposes, including profiling, where the processing is carried out in relation to the legitimate interest of the Controller.**
  - 9.1.5. **object at any time to the processing of his/her data for reasons related to his/her particular situation in cases where the legal basis of the processing is the legitimate interest of the Controller.**
  - 9.1.6. to lodge a complaint with the President of the Office for the Protection of Personal Data if he/she considers that the processing of his/her personal data violates the provisions of the GDPR.
- 9.2. To exercise any of the above rights, please send an email to [contact@projectsunflowers.org](mailto:contact@projectsunflowers.org)
- 9.3. With regard to co-mediated personal data processed through social networking services, the User may exercise his or her rights vis-à-vis the operator of the social networking service in accordance with the rules laid down by the latter:
  - a. Facebook: <https://www.facebook.com/privacy/explanation>
  - b. LinkedIn: <https://pl.linkedin.com/legal/privacy-policy?src=li-other&veh=www.linkedin.com%7Cli-other#other>
  - c. Instagram: <https://privacycenter.instagram.com/policy>.

## 10. TRANSFER OF DATA OUTSIDE THE EUROPEAN ECONOMIC AREA (EEA)

- 10.1. The Administrator transfers personal data to third countries, outside the European Economic Area, i.e. to the United States, only for the purpose for which they were made available to the following entities, due to the international nature of these entities.
- 10.2. Data of users interacting with the Administrator via social media is transferred outside the EEA, to:
  - 10.2.1. Meta Platforms Inc. based in California, USA - the entity that is responsible for the Administrator's facebook.com fan page. Information on privacy standards: <https://www.facebook.com/privacy/explanation>  
Meta Platforms Inc has stated that it has implemented standard contractual clauses, which you can read about here: <https://www.facebook.com/business/help/336550838147603> and <https://privacycenter.instagram.com/policy>.  
Meta Platforms Inc stated that it has implemented standard contractual clauses, which you can read about here: <https://www.facebook.com/business/help/336550838147603> and [https://help.instagram.com/272603474673152/?helpref=uf\\_share](https://help.instagram.com/272603474673152/?helpref=uf_share).  
The transfer is based on the European Commission's Implementing Decision of 10 July 2023 on the Adequacy of Personal Data Protection under the EU-US Data Privacy Framework and the listing of Meta Platforms Inc. as a participant in the Data Privacy Framework.
  - 10.2.2. LinkedIn Corporation, based in California, USA - the entity that is responsible for the operation of the Administrator's linkedin.co.uk account. Information on privacy standards, including the implementation of standard contractual clauses: <https://www.linkedin.com/help/linkedin/answer/62533>
- 10.3. Data of users enrolled in webinars and trainings organised by the Administrator is transferred outside the EEA to Zoom Video Communications Inc. based in San Jose, USA - a provider of a real-time communication platform. The provider has implemented standard contractual clauses, which you can read about here: <https://explore.zoom.us/pl/gdpr/>.

## 11. SOCIAL MEDIA CO-ADMINISTRATION

- 11.1. In connection with the Administrator's operation of:
  - 11.1.1. a fan page on Facebook at: <https://facebook.com/theprojectsunflowers/>, and a Administrator's profile on Instagram at: <https://www.instagram.com/project.sunflowers/>, the Administrator is the joint data controller of the Users' data with the provider of the service, i.e., Meta Platforms Ireland Limited with its registered office in Dublin (Ireland), address: 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, D02X525, Ireland
  - 11.1.2. the Administrator's profile on LinkedIn at <https://linkedin.com/company/projectsunflowers/>, the Administrator is the joint data controller of the Users' data with the service provider, i.e., LinkedIn Ireland Unlimited Company with its registered office in Dublin (Ireland), address: Wilton Place, Dublin 2, Ireland, ("Joint Administrators").
- 11.2. The co-administration includes the aggregate analysis of data, the purpose of which is to display statistics on the activity of the Users of the fan page on the service and advertising activities through the tools available there.
- 11.3. For more information about Facebook and LinkedIn and the arrangements between the Joint Administrators (including their respective responsibilities), please see:
  - 11.3.1. the Facebook privacy policy at: <https://www.facebook.com/privacy/explanation> and [https://www.facebook.com/legal/terms/page\\_controller\\_addendum](https://www.facebook.com/legal/terms/page_controller_addendum)
  - 11.3.2. the LinkedIn privacy policy at: <https://pl.linkedin.com/legal/privacy-policy?src=li-other&veh=www.linkedin.com%7Cli-other#other>
  - 11.3.3. the Instagram privacy policy at: <https://privacycenter.instagram.com/policy>

## 12. SERVER LOGS

- 12.1. The usage of the Service is linked to the sending of requests to the server on which the Service is stored. Each query sent to the server is recorded in server logs, which are saved and stored on the Service.
- 12.2. The logs include, but are not limited to, the User's IP address, the date and time of the server, information about the Internet browser and the operating system the User is using.
- 12.3. The data recorded in the Server logs are not associated with particular users using the Service and they are not used by the Administrator to identify the Users.
- 12.4. Server logs are only auxiliary material used for administering the Service and their content is not disclosed to anyone except persons authorized to administer the Service.

## 13. COOKIES

- 13.1. We use various cookies listed on the cookie banner, which may contain personal data from your browser (such as your IP address, unique cookie identifier; unique device identifier and device type; domain, browser type and language, operating system and system settings; country and time zone; previously visited websites; information about your interaction with the Service; and access times and referring URLs).
- 13.2. We use cookies on the Website for the purposes necessary for its operation and, with your consent, for analytical and advertising purposes.
- 13.3. The Service does not collect any information by automatic means, except for the information contained in cookies. Cookies necessary for the proper functioning of the Service, which are always active and cannot be deactivated. As for other cookies, we may collect them if the User agrees by using the cookie banner.
- 13.4. Refusing to accept cookies other than those necessary for the Service may result in related functions not being available.
- 13.5. You can change your cookie settings at any time. To do so, please use the icon shown in the bottom left-hand corner of the Service, which allows you to access your cookie settings.
- 13.6. Third parties may also collect information through our website by means of cookies, third-party plug-ins and widgets. These third parties collect data directly from your browser and the processing of this data is subject to their privacy policy.
- 13.7. Information on cookies, their types, storage periods and providers can be found in the cookie banner.

## 14. CONTACT

The Administrator shall provide the persons whose data he processes with the possibility to contact him in all matters concerning data protection via e-mail at the following address: [contact@projectsunflowers.org](mailto:contact@projectsunflowers.org)