

PRESS RELEASE

Further details on the Rise Project case

Given the erroneous information circulated in the public space and the reactions of certain factors, we specify the following:

Following the notification received from a natural person, who reported possible violations of the legislation on personal data protection, through the posts made by Rise Project in the public space, under the legal powers of monitoring and control of the National Authority for Supervision of Processing Personal data, information was requested regarding the reported situation, from the respective operator.

The received notification states that a lot of personal data of private and public persons have been posted online by Rise Project, requesting the verification of compliance with the legal regulations in force in the field of personal data processing.

In this context, we emphasize that, since the very post published by Rise Project indicated the source of obtaining them, respectively "a suitcase with essential information (...) was found in the rural area of Teleorman", we appreciate that the information requested by the Authority Surveillance is not likely to violate the professional secrecy of journalists.

At the same time, we note that in the *Alkaya v. Turkey* case (application no. 42811/06), the European Court of Human Rights found a violation of Article 8 of the European Convention on Human Rights (right to respect for private and family life). national daily. The case was aimed at revealing to the press the address of the home of an actress from Turkey, whose apartment had been robbed.

The ECHR has ruled that the choice of housing is a fundamentally private matter, and the free exercise of this choice is an integral part of the sphere of personal autonomy protected by Article 8 of the Convention.

The ECHR thus had to determine whether the State had administered a fair balance between the applicant's right to protection of her private life and the right of journalists from a daily newspaper to freedom of expression, protected by art. 10 of the Convention, and in the pronounced judgment it found a violation of the privacy of that person (violation of Article 8 of the European Convention on Human Rights).

In this context, we mention the fact that, at present, there is no press law in force in Romania.

As such, we reiterate the aspects highlighted in the press release dated 9/11/2018, posted on the ANSPDCP website (<http://www.dataprotection.ro/?page=>

The request for information addressed to Rise Project was made on the basis of the control competencies of our institution,

established by art. 57 para. (1) lit. f) and h) and art. 58 para. (1) and (2) of Regulation (EU) no. 2016/679, of art. 141 of Law no. 102/2005, with subsequent amendments and completions, by Law no. 190/2018, also related to the need to ensure the balance between the right to the protection of personal data and the right to freedom of expression (including processing for journalistic purposes), provided in art. 85 of the RGPD, as well as taking into account the jurisprudence of the ECHR in this field.

The Supervisory Authority, in considering its role as guarantor of the right to privacy and the right to the protection of personal data, has expressed and acted steadily since its establishment in 2005 in order to ensure a balance between the right to data protection. personal data, freedom of expression and the right to information.

In this context, the Supervisory Authority firmly states that its actions fall exclusively within the scope of its legal powers, without prejudice to freedom of the press and without interfering in any way with the exercise of the powers and legal duties of other state institutions.

ANSPDCP