

THE TERMS "FUNDAMENTAL RIGHTS AND FREEDOMS" TERMS "RIGHTS AND FREEDOMS" - AND HOW TO IDENTIFY THEM

Question no. 1 we present:

Recital 4 of the Regulation states: “The *processing of personal data should be intended to to serve humanity. The right to personal data protection is not an absolute right; must be considered in relation to his function in society and must be balanced with other fundamental rights, namely in in accordance with the principle of proportionality. This Regulation respects and respects all fundamental rights the freedoms and principles recognized in the Charter as enshrined in the Treaties, in particular respect for family life, housing and communications, protection of personal data, freedom of thought, conscience and religion, freedom of expression and the right to information, freedom of establishment, the right to an effective remedy and to a fair trial, and cultural, religious and linguistic diversity.* " On the under that Regulation it refers to all the fundamental rights and freedoms enshrined in the Charter fundamental rights of the EU.

Question no. 2 we present:

The reference to "rights and freedoms" in specific provisions, e.g. in Art. 24 (1) Regulations and 25 (1) of the Regulation, goes beyond the protection of fundamental rights and also refers to other rights and freedom. This is important in relation to the risk-based approach presented in the recital 75 Regulations.

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Question no. 3 we present:

Based on the above, compliance with the provisions of the Regulation requires a risk assessment not only in relation to fundamental rights, but also in relation to all relevant rights and the freedoms of the natural person.

Please note that questions regarding the interpretation or application of the provisions

The regulations are given a final interpretation by the national court or the Court of Justice of the EU and not by the European Commission.