

D2.3

Report on Human Rights, Ethical, Societal and Data protection risks assessments

Authors

Andrea Guillén & Emma Teodoro

Autonomous University of Barcelona

Thilo Gottschalk & Francesca Pichierri

FIZ -Karlsruhe, Leibniz Institute for Information Infrastructure

Alexandra Xanthaki & Kenneth Hansen

Brunel University London

February 2021



"This project has received funding from the European Union's Horizon 2020 research and innovation programme under grant agreement N° 882986".

Deliverable Factsheet	
Title and number	<i>Report on Human Rights, Ethical, Societal and Data protection risks assessments (D2.3)</i>
Work Package	WP2
Submission date	26 February 2021
Authors	Andrea Guillén & Emma Teodoro (UAB) Thilo Gottschalk & Francesca Pichierri (FIZ) Alexandra Xanthaki & Kenneth Hansen (BUL)
Contributor	Cristina Blasi Casagran (UAB)
Reviewers	Haithem Afli (CIT/MTU) & Derek Groen (BUL) Jonathan Andrew (ITFLOWS DPA), Marta Poblet (IEB), Ruth Fee (IEB) & Lilian Mitrou (IEB)
Dissemination level	PU (Public)
Deliverable type	R (Report)

Version Log			
Issue Date	Version	Author	Change
27/01/2021	v0.1	Thilo Gottschalk & Francesca Pichierri (FIZ)	First version sent for review.
15/02/2021	v0.2	Andrea Guillén, Emma Teodoro & Mario Macias (UAB)	Consolidated version sent for review
17/02/2021	v0.3	Cristina Blasi & Santi Villar (UAB)	Edited first version sent to reviewers
23/02/2021	v0.4	Haithem Afli (CIT) & Derek Groen (BUL)	Edited version including changes and suggestions made by reviewers
24/02/2021	v0.5	Lilian Mitrou, Marta Poblet & Ruth Fee (ITFLOWS IEB)	Reviewed version including changes and feedback made by ITFLOWS IEB
24/02/2021	v0.6	Jonathan Andrew (ITFLOWS DPA)	Reviewed version including changes and feedback made by ITFLOWS DPA
26/02/2021	v1.0	Andrea Guillén & Emma Teodoro (UAB)	Final version. Submission to EC
30/06/2022	V2.0	Andrea Guillén & Emma Teodoro (UAB) Alexandra Xanthaki, Ermioni Xanthopoulou	Final version after EC review

		& Mengia Tschalaer (BUL) Thilo Gottschalk & Francesca Pichierri (FIZ)	
--	--	---	--

Disclaimer

This article reflects only the author's view and that the Agency is not responsible for any use that may be made of the information it contains. (art. 29.5 Grant Agreement)

Executive Summary

This report aims to identify the specific legal and ethical risks posed by the project in relation to the obligations derived from the legal and ethical framework. It includes an Ethical and Societal Impact Assessment and a Data Protection Impact Assessment, which take particular attention to the project research activities related to the creation of the EUMigraTool (EMT) and the processing of migrants' personal data. As a result of these impact assessments, a set of mitigation measures are presented to minimise the identified ethical, societal, and legal risks.

Table of Contents

1. ETHICAL AND SOCIETAL IMPACT ASSESSMENT	1
1.1 Introduction.....	1
1.2 ITFLOWS EtSIA Methodology.....	2
1.2.1 Identification and evaluation of ethical risks	11
1.2.2 Mitigation measures to minimise negative ethical impacts.....	29
1.2.3 Identification and evaluation of the societal risks.....	33
1.2.3 Mitigation measures to minimise societal negative impacts.....	43
2. DATA PROTECTION IMPACT ASSESSMENT.....	49
2.1. General DPIA requirements	49
2.2. DPIA considerations for ITFLOWS.....	52
2.2.1 DPIA Methodology	55
2.3 Preliminary DPIA analysis for ITFLOWS	58
2.3.1 Initial Identification/Description of Processing Scenarios	58
2.3.2 Initial Source Assessment.....	59
2.3.3 Initial Identification/Description of purposes of the processing	60
2.3.4 Initial Assessment of the necessity and proportionality of the processing	79
2.3.5 Initial Assessment of risks and mitigation measures envisaged to address the risks.....	80
Conclusions	103
References.....	106

List of Tables

Table 1. Human rights potentially affected by the research activities foreseen in ITFLOWS.....	4
Table 2. Ethical Impact Assessment to identify and assess the ethical risks posed by the ITFLOWS research activities – Human participation.....	21
Table 3. Ethical Impact Assessment to identify and assess the ethical risks posed by the ITFLOWS research activities – Data protection.....	27
Table 4. Ethical Impact Assessment to identify and assess the ethical risks posed by the ITFLOWS research activities – Technological development of the EUMigraTool	28
Table 5. Societal Impact Assessment to identify and assess societal risks posed by the ITFLOWS research activities.....	42
Table 6. Preliminary identification of processing description, purposes and sources	79

List of Figures

Figure 1. Simplified DPIA Process in ITLFWOS	54
Figure 2. DPIA methodology	58
Figure 3. DPIA Internal Collection Table.....	87
Figure 4. Interview Data Flow 1	95

Abbreviations

ACLED: The Armed Conflict Location & Event Data Project
AIDA: Asylum Information Database
API: Application Programming Interface
BUL: Brunel University London
CEPS: Centre for European Policy Studies
CERTH: Ethniko Kentro Erevnas Kai Technologikis Anaptyxis
CIT: Cork Institute of Technology
CRI: Associazione della Croce Rossa Italiana
CSD: Center for the Study of Democracy
DPA: Data Protection Advisor
DPIA: Data Protection Impact Assessment
EASO: European Asylum Support Office
EC: European Commission
EMT: EUMigraTool
EUI: European University Institute
EtSIA: Ethical and Societal Impact Assessment
FIZ: Karlsruhe – Leibniz-Institut für Informationsinfrastruktur
FRONTEX: European Border and Coast Guard Agency
GDPR: General Data Protection Regulation (Reg. EU 2016/679)
IAI: Istituto Affari Internazionali
ICO: Information Commissioner's office
IfW: Institut für Weltwirtschaft
IMF: International Monetary Fund
IOM: International Organization for Migration
IPC: Integrated Food Security Phase Classification
JSON: JavaScript Object Notation
MTU: Munster Technological University
NER: Named entity recognition
NGO: Non-governmental organizations
OCC: Open Cultural Center
OECD: Organisation for Economic Co-operation and Development
OIT: Oxfam Italia Onlus
SQL: Structured Query Language
SSL: Secure Sockets Layer
TLS: Transport Layer Security
TRC: Terracom AE
UAB: Universitat Autònoma de Barcelona
UNHCR: United Nations High Commissioner for Refugees
WB: World Bank
WDI: World Development Indicators
XML: Extensible Markup Language

1. ETHICAL AND SOCIETAL IMPACT ASSESSMENT

1.1 Introduction

An integrated Ethical and Societal Impact Assessment (EtSIA)¹ has been conducted by the ethical lead partner of the project – the Institute of Law and Technology of the Autonomous University of Barcelona (IDT-UAB) – and Brunel University of London (BUL) with the aim of : i) **identifying and assessing ethical and societal risks** raised by the research activities to be conducted in ITFLOWS and by the technological tool (*EUMigraTool*) to be developed in order to help Non-Governmental Organisations (NGOs), policy makers and municipalities to prepare sufficient resources to better serve migrants at their arrival, and minimise potential risks of tension between migrants and EU citizens; ii) **implementing a set of mitigation measures to re-address negative impacts** associated to the risks previously identified; and, iii) **providing a set of initial recommendations** addressed to avoid or at least to minimise negative impacts related to the identified ethical and societal risks at this particular stage of the project.

The EtSIA conducted in ITFLOWS is an assessment model that combines both a human rights-based approach and an ethical and societal values-oriented approach (Mantelero, 2018; see also Vanclay et al., 2013). This assessment’s model has been chosen among other types of assessments in order to: i) encompass a broader assessment not only of the ethical and societal issues concerning the research and innovation activities in ITFLOWS, but also the potential impacts of conducting such activities for society; ii) predict and avoid harmful consequences, facilitate participation, address ethical and societal challenges; and enable social shaping of research and innovation activities in ITFLOWS (Nielsen et al. 2015).

The EtSIA will be updated several times during the lifecycle of the project as it is deemed necessary. Iterative and interactive processes will be implemented to update the EtSIA in accordance with i) the on-going ethical strategy designed specifically for the monitoring of negative ethical and societal impacts of the

¹ The EtSIA acronym is used here to avoid any misunderstanding with the ESIA acronym that is commonly used to refer to the Environmental and Societal Impact Assessment.

research activities foreseen within the project (as described in Task 2.4 of the DoA); and ii) the development of the research activities to be undertaken in the different phases of the project. This is the initial report.

1.2 ITFLOWS EtSIA Methodology

The methodology applied to conduct the EtSIA in ITFLOWS has followed the six key procedural steps identified in the context of the SATORI Project² for conducting an Ethical Impact Assessment (EIA) for European research and innovation projects (Dunlop and Radaelli, 2015; Vammen Larsen et al., 2015; Purnhagen and Feindt, 2015; Reijers et al., 2016): i) to conduct an EIA preliminary assessment; ii) to prepare an EIA plan; iii) to set up an ethical impact identification assessment; iv) to evaluate the ethical impacts; v) to formulate and implement remedial actions; and vi) to review and audit the EIA outcomes.

The ITFLOWS Consortium is very aware that the research foreseen in the project had the potential to pose serious risks from an ethical, societal, and legal perspective. Therefore, ITFLOWS decided to implement the following actions at the proposal stage of the project:

- **A preliminary assessment of the potential ethical and societal risks posed by the research activities foreseen in the proposal was conducted** and presented in Section 5 of the project's proposal. In addition to the comprehensive chart included in 2.1 of all the instruments international and European relevant to our subject, this report uses two main pieces of European legislation in identifying the relevant ethical values in the context of the ITFLOWS project:
 - a) The Charter of Fundamental Rights of the European Union;³
 - b) The European Convention for the Protection of Human Rights and Fundamental Freedoms.⁴

² <https://satoriproject.eu/>

³ https://www.europarl.europa.eu/charter/pdf/text_en.pdf

⁴ https://www.echr.coe.int/documents/convention_eng.pdf

A traffic light system is used to assess which ethical values can be at stake for the ITFLOWS activities, according to the criteria set out by the European Seal of Privacy (Europrise)⁵ and the European Data Protection Supervisor (EDPS).⁶ Data protection has been particularly in our focus due to the fact that data protection emerged initially as one of the main risk areas in which the ethical and legal strategy needed to be carefully drawn. In addition, concerns related to human participation, as well as the potential misuse of the research were carefully assessed to ensure the protection of citizens’ rights in the context of ITFLOWS research activities.

The results shown below in Table 1 supports the ethical strategy designed by the ethical lead partner to address the identified preliminary risks concerning the potential impact on human rights that the research activities foreseen in the proposal might entail:

Ethical Values linked to fundamental human rights	ITFLOWS PROPOSAL		
Charter of Fundamental Rights of the European Union			
Dignity	Green	Yellow	X
Freedoms	Green	Yellow	X
Equality	Green	Yellow	X
Solidarity	Green	X	
Citizens’ rights	Green	Yellow	X
Justice	Green	Yellow	X

⁵The *Europrise* system allow us to define the severity level of the potential ethical and legal risks that the ITFLOWS proposal may pose in terms of affecting ethical values linked to fundamental human rights. Severity level green means that the relevant ethical value suffers no influence and that the development of the ITFLOWS research activities is not concerned by potential breaches of the same value. Severity level yellow means that the relevant ethical value may suffer and indirect influence from the development of the ITFLOWS research activities. Severity level in RED means that the relevant ethical value can potentially be jeopardised by the ITFLOWS research activities. The fact that one of the ethical values is marked in RED or YELLOW does not mean that there is a problem, but it stresses the fact that during the ITFLOWS project issues related to that value will be carefully addressed as potentially affected. The use of this system has the purpose of –after the severity level is performed—allowing experts to better identify issues of concern and, therefore, define the recommendations they consider appropriate in order to overcome the YELLOW and RED potential criticalities. Further information on the Europrise System can be found in: <https://www.european-privacy-seal.eu/EPS-en/Home>

⁶ <https://edps.europa.eu/>

European Convention for the Protection of Human Rights and Fundamental Freedoms			
Right to asylum			X
Right to justice			X
Right to liberty and security			X
Socio-economic rights (ECtHR case law)			X
Right to a fair trial			X
No punishment without law		X	
Right to respect for private and family life			X
Protection of social and political activity			X
Freedom of expression			X
Prohibition of discrimination			X
Freedom of thought, conscience and religion			X

Table 1. Human rights potentially affected by the research activities foreseen in ITFLOWS

According to the results of the abovementioned strategy, the ITFLOWS Consortium agreed to put in place the following mitigating measures: i) continuous monitoring of the intended and unintended social consequences (positive and negative) of the ITFLOWS research activities by a multi-disciplinary worldwide expert team on societal and ethical issues such as human rights, data protection, gender, media, integration and economy; ii) multidisciplinary experts will perform their tasks and responsibilities in close cooperation with several validating committees; iii) ensuring compliance with the international and European human rights framework identified as applicable for the project; iv) mitigating existing human rights impacts regarding the migration crisis management performed by enforcement bodies, national and local authorities; v) safeguards concerning access to any technological tools by entities that might use such tools to compromise human rights or with solely securitization in mind; vi) safeguards concerning data protection and non-

discrimination will be specifically monitored in the case of asylum seekers and irregular migrants particularly as identification of such individuals may have direct negative consequences for them; vi) the processing of publicly available data regarding migrants (surveys, reports...) will be performed in full compliance with the International Law norms on the prohibition of discrimination, including positive measures to ensure real equality; vii) policy solutions and recommendations will rely on the existing international and EU legal frameworks; viii) the EUMigraTool will be tested by a variety of potential end-users from civil society organisations and municipalities. In particular, pilot cases will be validated by experts in human rights and civil society organisations with expert knowledge on migrants, asylum seekers and refugees; ix) promoting participatory methods and procedures involving human rights experts and technical partners in order to ensure that simulations provided by the EUMigraTool are compliant with the international and European legal framework identified as applicable for the project; and x) negative impacts on gender roles and relations posed by the ITFLOWS research activities will be carefully addressed and monitored through the Gender Committee of the project.

- Strong monitoring structures and procedures were designed from an internal and external perspective with the aim of ensuring that research activities will be conducted in strict compliance with the EU and international human rights legal and ethical framework. In particular: i) an **Independent Gender Committee (IGC)** was appointed in accordance with the ITFLOWS Consortium strategy of considering gender-specific disadvantages as well as the intersection of gender and other forms of discrimination on grounds of sexuality, race, religion, disability, age, among others considered as crucial for the research foreseen within the project. More specifically, the IGC identifies gendered drivers of migration in countries of origin, gendered limits and opportunities in the integration process, potential gender biases related to the design, implementation, and results of the EUMigraTool and gender-specific policy outcomes and recommendations; ii) the creation of an **Independent Ethics Board (IEB)** is part of the monitoring structure designed for the project. The main role of the IEB consists of providing independent advice to the Consortium on how to address ethical negative impacts posed by the

research activities foreseen to be developed in ITFLOWS and that could lead to the infringement of fundamental rights; and iii) the appointment of a **Data Protection Advisor (DPA)**, who advises and supervises the adequate use and processing of personal data by the Consortium, in full compliance with the provisions laid down by the EU General Data Protection Regulation (GDPR).⁷

- Preliminary ethical guidelines were provided by the ethical lead partner on how to conduct qualitative research within the context of the project.
- Informed Consent Templates were also provided to the partners in charge of conducting qualitative research activities.
- A preliminary Data Protection Impact Assessment was already conducted at the proposal stage to identify and assess initial data protection risks in ITFLOWS. According to this assessment, the ITFLOWS Consortium concluded that risks related to the lawfulness of the processing, data minimisation, data accuracy, and the accountability principles were not sufficiently mitigated. Conversely, risks related to processing purposes, data security, and access rights were sufficiently mitigated at the proposal stage of the project.
- Potential misuse of the research was also preliminarily assessed, and a set of initial measures to minimise such risk were identified (e.g., the need to elaborate a Data Management Plan for ITFLOWS, the need to develop an Incidental Finding Policy for the project at the very beginning of the project, among others, careful consideration on who will have access to the technological tool).

As a result of the ethics check⁸ issued by the European Commission (EC) before the signature of the Grant Agreement, a set of ethical requirements regarding the involvement of non-EU countries, human participation and data protection were identified. Concerning these pre-grant requirements, the Consortium was requested to submit further clarifications if there were activities undertaken in non-EU countries, to ensure that the research conducted outside the EU was legal in at least

⁷ <https://eur-lex.europa.eu/eli/reg/2016/679/oj>

⁸ Ethics Summary Report 882986/ITFLOWS-21/11/2019

one EU Member State. In this regard, the Consortium submitted an Ethical Screening Report on 3rd February 2020 providing clarifications on i) the motivation for selecting the five countries of origin that will be analysed in WP3 and further used for creating algorithms in ITFLOWS WP6; and, ii) the ethical concerns in relation with the involvement of third countries in ITFLOWS.

As for the ethical issues concerning human participation identified as post-grant requirements, the ethical check highlighted the following aspects to be addressed: i) specific measures to prevent the exploitation of vulnerable and marginalised individuals and to guarantee the safety of the participants; ii) the elaboration of an incidental findings policy; iii) the design of a recruitment plan before conducting the interviews with migrants and asylum seekers; iv) revised informed consent forms to carry out qualitative research activities; and v) authorisations from relevant authorities to conduct the study.

Further clarifications on the protection of personal data were also requested as a result of the ethics check and identified as post-grant requirements. Particularly, it referred to the monitoring of participants, description of the anonymisation techniques, the need to provide a Data Management Plan for the project, and a clear description of the ITFLOWS Data Protection Advisor tasks and responsibilities. All ethical concerns regarding both human participation and data protection will be provided in Deliverables 10.1, 10.2 and 10.3 of WP10, to be submitted in February 2021.

The ethical lead partner has opted to implement participatory research methods with the aim of: i) ensuring proactive involvement of all the relevant ITFLOWS partners to conduct the EtSIA foreseen in Task 2.2 (*Analysing the ethical, data protection and privacy risks posed by the research activities and the technological solution EUMigraTool*); ii) addressing all the ethical requirements concerning both human participation and data protection in ITFLOWS as requested by the EC in the terms mentioned above; and iii) raising awareness and reinforcing the ethical commitment of the project's development.

Information related to the potential ethical and societal risks posed by the ITFLOWS has been initially gathered from the ITLFOVS Proposal and the Grant Agreement (GA) and subsequently enriched and properly refined based on:

- **Organising and participating in technical virtual meetings to improve bilateral communication with technical partners:**⁹ The UAB as ethical lead partner of the project applied qualitative techniques to foster participation at the knowledge acquisition stage. To this end, the UAB has scheduled several virtual meetings with partners involved in WP3, 4, 5, 6 and 7 to grasp relevant and detailed information regarding potential ethical and societal risks that the design and the development of the research activities to be conducted in such WPs could entail. As leaders of WP2, the UAB has implemented FIZ's suggestions related to the information enrichment process consisting of organising regular bi-weekly WP2 meetings with the aim of improving internal communication with partners involved in performing WP2 tasks.

- **Developing an internal questionnaire**¹⁰ **addressed to WP3 partners involved in conducting Task 3.4 (*Semi-structured interviews with migrants, refugees, and asylum seekers*) in order to identify needs, requirements and risks concerning human participation and data protection** in the context of these interviews. To that end, the UAB designed a specific questionnaire containing a set of twenty-eight questions that were structured in two main sections concerning human participation and data protection. The aim of the questions included in Section 1 of the questionnaire on human participation was to obtain further clarifications on: i) **the interviews** (interview's purpose; interviewed target group; inclusion/exclusion criteria for participating in the interviews; interview's methodology; internal protocols to conduct interviews with migrants; refugees and asylum seekers; procedures in place to protect the participants in the interviews; potential harms/benefit for vulnerable groups; interviewing team; informed consent concerns; risk of participants' (re) traumatisation for

⁹ Given the current stage of the Project, these meetings with partners from other WPs have focused on data protection issues, as well as on designing an ethical strategy for conducting the interviews with migrants, refugees and asylum seekers. The minutes of these meetings are available in the internal communication channel of Teams.

¹⁰ The questionnaire addressed at WP3 partners involved in Task 3.4 was sent by the UAB in September 2020 and the corresponding reply to the questionnaire was received in October 2020.

participating in the interviews); ii) **incidental findings that might be disclosed when conducting the interviews** (if partners in charge of conducting the interviews have an incidental findings policy in place; identification of a list of potential incidental findings that the interviews may reveal; procedures to handle incidental findings); and iii) **misuse of the data gathered in the interviews** (steps/procedures to face the potential misuse of the interviews; possible negative consequences to the participants due to the fact of participating in the interviews; measures to prevent the disclosure of participants' information; the existence of internal ethics committees within partners' organisations).

Questions related to personal data gathered in the interviews were included in Section 2 of such questionnaire. In particular, they referred to: i) type of data to be collected during the interviews; ii) if partners involved in Task 3.4 have tailored and comprehensive Informed Consent Forms to conduct interviews with migrants, refugees and asylum seekers; iii) internal Data Protection Officers' contact details; iv) internal privacy policies; v) procedures in place for the processing of personal data; vi) detailed information on the anonymisation techniques to be applied to personal data gathered from the interviews; vii) recording of the interviews; and viii) data storage, retention periods and deletion mechanisms.

The above-mentioned questionnaire can be found in Annex 1 of this Deliverable.

- **Participating in dedicated end-users' workshops:** The UAB has been participating and will continue to participate in dedicated end-users' workshops with the aim of refining the range of ethical and societal risks derived from the needs and technical requirements related to the EUMigraTool from an end-user' perspective.
- **Organising and leading virtual meetings with the IEB and the DPA to discuss specific mitigation measures to minimise ethical and societal negative impacts:** The UAB has organised regular virtual meetings with the IEB and the DPA to inform both about the development

of the research activities and the potential risks raised by such research developments. The aim of these meetings has been to obtain independent and expert guidelines and recommendations on addressing the risks identified in compliance with the legal, ethical, and societal framework applicable for the project.

The evaluation of the information gathered through the information enrichment process previously explained, has entailed the analysis of the identified ethical and societal risks. The corresponding analysis of such risks has been performed by the UAB and BUL as follows:

- **Ethical Risk Analysis:** The UAB has performed the ethical risk analysis, which is structured following three main topics, i.e., human participation, data protection and the technological development of the EUMigraTool. According to this initial structure, the identified ethical risks cover: i) which ITFLOWS research activities distributed in different Work Packages might pose ethical concerns because they entail human participation, data processing or the development of the EUMigraTool; and ii) which ethical values/principles previously identified in the applicable ethical framework for the project and provided in D.2.1 might be at stake and seriously affected by conducting such activities. Finally, mitigation measures (some of them already implemented) have been identified, and they constitute the basis for providing a final assessment related to each ethical risk identified.
- **Societal Risk Analysis:** The societal risk analysis performed by BUL has been structured according to twelve topics identified as relevant in ITFLOWS from a societal perspective after discussions with stakeholders (namely civil society organisations). These topics are: i) discrimination; ii) funding services; iii) decision-making process; iv) creation of ghettos; v) the role of enforcement bodies; vi) identification and penalisation of irregularities; vii) reinforcement of fear and arguments against migration; viii) suspicions about the ITFLOWS project; ix) lack of inclusion; x) changes of facts; xi) limitations of the New Pact for Asylum and Migration; and xii) limited resources. The identification of the societal

risks associated with each of these topics has been performed focusing on: i) the applicable international and EU legislation related to each topic; and ii) which groups especially vulnerable could be particularly affected by each identified societal risk. Finally, a set of mitigation actions have been recommended to address the risks previously identified and a final general assessment has been provided considering each of the individually identified societal risks.

The outcomes of the EtSIA conducted at this stage of the project will be properly communicated and shared with the Consortium. To that end, the content of the EtSIA is available in Teams for consultation. Moreover, the ethical lead partner jointly with BUL will organise specific internal calls for providing key information regarding the outcomes of the EtSIA, particularly emphasising negative impacts of the ethical and societal risks identified from a human right perspective and highlighting which mitigation measures must be urgently implemented to avoid or at least minimise the risks identified.

1.2.1 Identification and evaluation of ethical risks

Table 2 presented below shows the impact assessment carried out to identify and assess the ethical risks posed by the ITFLOWS research activities and the corresponding remedial actions (namely, mitigation measures). These measures are addressed to minimise negative ethical impacts associated with the risks previously identified. To that end, and as explained in the previous section, the impact assessment has been conducted according to the following structure:

1. **Topics:** three main ethically challenging topics —according to the nature of the project— have been considered to perform the assessment. These topics are human participation, data protection and the technological development of the EUMigraTool.
2. **ITFLOWS research activities:** ITFLOWS research activities involving human participation, data processing or the development of the EUMigraTool have been identified in accordance with the WPs' description contained in the GA of the project.
3. **Ethical values at stake:** The ITFLOWS Consortium commits to comply with

the highest standards, principles and good practices of research ethics described in the *European Code of Conduct for Research Integrity* (ALLEA 2017). Thus, all the research activities foreseen within the Project should be conducted in strict compliance with the general **principle of integrity** (ALLEA 2017: 9). The following ethical principles should be also applied by researchers in a complementary manner to the integrity principle:

- **Reliability:** this ethical principle implies ensuring the quality of the design, the methodology, the analysis, and the use of resources in the research.
- **Honesty:** it involves developing, undertaking, reviewing, reporting, and communicating the research in a transparent, fair, full, and unbiased way.
- **Respect:** it implies carrying out the foreseen research activities with respect for research colleagues, research participants, society, ecosystems, cultural heritage, and the environment.
- **Accountability:** this principle entails being accountable in several aspects of the research such as publication, management and organisation, training activities, supervision and mentoring and for its wider impacts.

Furthermore, the ITFLOWS Consortium fully adheres to the EU Ethical Responsible Research and Innovation Framework (RRI).¹¹ In the context of ITFLOWS it entails: i) ensuring **a more broadly** ethical and legal voluntary **engagement of society**; ii) allowing **for the anticipation and assessment of potential risks** that may jeopardise human rights; iii) relying on the independent assessment of the DPA, the IEB and IGC; iv) **supervising gender equality** in both the research process and the research content; and v) focusing on **the monitoring of the ethical dimension of the research** activities.

Apart from the general ethical principles applicable to all research activities of the project, ITFLOWS researchers involved in conducting qualitative research activities

¹¹ <https://ec.europa.eu/programmes/horizon2020/en/h2020-section/responsible-research-innovation>

should also adhere to the following specific ethical principles: **autonomy, doing no harm, equity, diversity, competence, voluntary participation, confidentiality and privacy, transparency, and accountability**. They have been identified from the catalogue of ethical guidelines included in D2.1,¹² as part of the applicable ethical framework for ITFLOWS.

These principles have been interpreted as follows considering the nature of the qualitative research activities foreseen within the project:

- **Autonomy:** Researchers involved in qualitative research activities should ensure the right of people to make their own decisions concerning their lives and particularly their participation in the Project.
- **Doing no harm:** Researchers should prioritise the dignity, safety, and well-being of participants as well as that of all members of the research team. Individual or collective actions that may increase racism, discrimination, the criminalisation of migration or traumatise migrants, refugees and asylum seekers should be avoided.
- **Equity:** Researchers should take proactive actions with the aim of minimising potential negative impacts that may occur due to unbalanced power relationships between participants and researchers.
- **Diversity:** Researchers should respect cultural, ethnic, gender and sexual orientation differences. Ethnocentric research perspectives and behaviour must be avoided.
- **Competence:** Adequate training should be provided to researchers involved in conducting qualitative research activities. Research profiles with expertise and empirical background in the field of migration research should be prioritised for those research activities that entail the participation of migrants, refugees, and asylum seekers.
- **Voluntary participation:** Researchers must obtain participants'

¹² The catalogue of ethical guidelines identified in D2.1 can be found in the bibliographical section of this deliverable.

informed consent before their involvement in qualitative research activities with the aim of ensuring voluntary participation. Informed Consent Forms should be specifically designed for each planned research activity in accordance with the ethical and legal applicable framework, previously identified for the Project. Moreover, Informed Consent Templates in the context of the Project will be validated by the ITFLOWS DPA as well as by the IEB and the IGC, as a mechanism to ensure: i) compliance with EU and national data protection legal frameworks; ii) compliance with the applicable ethical principles identified for the Project; and iii) un-biased and gender-sensitive research. Researchers will gather informed consent in writing. However, due to the challenges related to obtaining written informed consent in forced migration research contexts (e.g., illiteracy, unequal power relations, dependence on NGO's services, among others) researchers will be provided with clear ethical guidelines and protocols in those cases in which only oral consent can genuinely ensure informed and voluntary participation.

- **Confidentiality and privacy:** Processing of personal data in the context of the qualitative research activities of the project must be compliant with the data protection principles laid down in Article 5 of the GDPR: i) lawfulness, fairness and transparency; ii) purpose limitation; iii) data minimisation; iv) accuracy; v) storage limitation; vi) integrity and confidentiality; and vii) accountability. In addition, the processing of personal data for scientific purposes will be subject to appropriate safeguards with the aim of safeguarding the rights and freedoms of the data subjects. Technical and organisational measures should be taken by the Consortium *-in accordance with Article 89 of the GDPR and the applicable national data protection frameworks* - to ensure respect for the data minimisation principle. Clear technical descriptions on the anonymisation techniques will be provided by the partners responsible for conducting any qualitative research activity that entails the processing of personal data. In addition, the partners will ensure that access to data is not provided to entities or in a

manner that may jeopardise now or in the future the rights of migrants and asylum seekers.

- **Transparency and accountability:** Qualitative research activities should be presented in a clear and accurate manner by the researchers, avoiding biased and misleading information that makes such activities excessively attractive for the participants. Recruitment plans should be specifically designed by the researchers before conducting the research activities. These plans will contain: i) a clear description of the research activity (location, regulatory status of the research, time or other commitment required from the participants, among others); ii) inclusion/exclusion criteria of the participants and the research team in charge of conducting the specific qualitative research activity; iii) legal basis and technical and organisational safeguards for the processing of personal data; iv) Informed Consent Templates approved by the DPA and the IEB of the Project; v) anonymisation techniques for ensuring the confidentiality of the information gathered from the research participants; and vi) the incidental findings policy. Transparency and openness will be sought by all partners and involved parties.

As for the technical development of the EUMigraTool, in addition to the general ethical principles applicable to all the research activities conducted in ITFLOWS, further ethical principles will apply. Particularly, the European Commission's High-Level Expert Group on AI in its *Ethics Guidelines for Trustworthy Artificial Intelligence (High-Level Expert Group on AI)*¹³ recommends several requirements to specifically monitor ethical compliance regarding the design, implementation, and evaluation of AI technologies such as the EUMigraTool. Therefore, ethical principles contained in these guidelines are interpreted and should be embedded in the EUMigraTool as follows:

- **Human autonomy:** The EUMigraTool should not unjustifiably

¹³ <https://ec.europa.eu/digital-single-market/en/news/ethics-guidelines-trustworthy-ai>

subordinate, coerce, or manipulate humans. It should be designed to augment, complement, and empower human cognitive, social and cultural skills. EUMigraTool's functionalities should follow human-centric design principles and leave meaningful opportunity for human choice. This means securing human oversight over work processes in AI technologies integrated into the EUMigraTool.

- **Prevention of harm:** The EUMigraTool must not cause harm or negative impacts on human beings. This entails the protection of human dignity as well as mental and physical integrity. AI technologies integrated into this tool should be safe and secure.
 - **Fairness:** The EUMigraTool must ensure that the system does not lead to biased outcomes, such as bias, discrimination and stigmatisation.
 - **Transparency:** The AI technologies integrated into the EUMigraTool need to be transparent, the capabilities and purpose of such technologies need to be openly communicated. Data sets and processes that are used in building AI systems should be documented and traceable. Also, AI systems should be identifiable as such, and humans need to be aware that they are interacting with an AI system. Furthermore, AI systems and related human decisions are subject to the principle of explainability, according to which it should be possible for them to be understood and traced by humans.
4. **Ethical risks identified:** For each research activity, a set of initial ethical risks have been identified, according to the ethical principles that could be potentially at risk due to the nature of such activities. For instance, regarding the workshops to be conducted in Tasks 3.1, 6.5, 7.1, 7.2 and 8.2, ethical risks related to voluntary participation, processing of personal data of the participants, or a biased representation of the research activity have been identified. As for the semi-structured interviews to be conducted in T3.4, ethical risks related to voluntary participation, recruitment criteria and procedures for participating, processing personal data, protecting the special vulnerability of the research participants, dealing with incidental findings,

gender discrimination, biased presentation of the research activity or the misuse of the research have been highlighted and need to be properly addressed.

5. **Mitigation measures:** The current implementation status of each research activity has conditioned the identification of mitigation measures, understood as remedial actions addressed to minimise the potential negative impacts related to the identified ethical risks. Thus, the UAB has distinguished those remedial actions already implemented at the current stage of the project, from those whose implementation is still pending. Moreover, it is important to note that if a particular research activity has not yet started, its ethical risks remain unclear. This prevents the identification of appropriate mitigation measures. The UAB has reported this fact in the mitigation measures column contained in Table 2. For instance, given that Task 7.3—which is related to piloting tests in real environments of the EUMigraTool—is foreseen to start in M24 of the project, no measures have been specifically implemented at this stage of the project. However, this circumstance does not preclude the identification of preliminary ethical risks associated with this task such as, for example, risks related to the anonymisation techniques that will be used for test cases or the qualitative and quantitative research techniques that will be used to validate the EUMigraTool in real environments.
6. **Assessment:** The assessment of the ethical risks identified per each topic, i.e., human participation (see Table 2), data protection (see Table 3) and the technical development of the EUMigraTool (see Table 4) entails: i) a general evaluation considering if the risks have been or not sufficiently mitigated according to the mitigation measures adopted or expected to be adopted to minimise negative impacts; and ii) a specific evaluation of the need to implement further mitigation measures and monitoring activities to decrease the negative impacts of the identified risks.

Topic	ITFLOWS Research activity	Ethical Values at stake	Identified Risks	Mitigation measures	Assessment
Human participation	Workshops (T3.1; T6.5; T7.1; T7.2 T8.2)	<p>European Code of Conduct for Research Integrity (ALLEA 2017):</p> <ul style="list-style-type: none"> • Integrity • Reliability • Honesty • Respect • Accountability <p>Specific ethical principles governing qualitative research activities in ITFLOWS (previously identified in Section 1.4a of D.2.1):</p> <ul style="list-style-type: none"> • Autonomy • Doing not harm • Equity • Diversity • Competence 	<ol style="list-style-type: none"> 1. Voluntary participation of the research participants 2. Processing of personal data 3. Bias representation of the research activity 	<ol style="list-style-type: none"> 1. The first draft corresponding to the conceptual paper (M3.1) has been reviewed by the ethical lead partner. The aim of this paper is to understand irregular migration trajectories from departure to the final destination and to provide detailed information regarding the design of the interviews that will be conducted in T3.4 2. An Informed Consent Template Form has been designed and provided to conduct T7.1 (dedicated end-user board workshop to design visualisation mock-ups and indicative workflows to be implemented in the EUMigraTool. This workshop has been attended only by internal end-users). The aim of this informed consent template form was to ensure obtaining consent to record the live Zoom session and to take photographs. 3. Informed Consent Templates to conduct workshops with policy 	<ul style="list-style-type: none"> - Risks are sufficiently mitigated regarding the research activities already started. Adequate, relevant and sufficient mitigation measures have been implemented to minimise and monitor the identified risks. However, it does not preclude the need to conduct further and close monitoring activities by the internal and external monitoring bodies of the project to ensure ethical compliance with all the measures already implemented. - The correct identification of the categories of migrants, asylum seekers and refugees has been very challenging and important for our project and for real effective participation.

		<ul style="list-style-type: none"> • Voluntary participation • Confidentiality and privacy • Transparency and accountability 		<p>makers (T8.2) will be designed and provided to CDS/CEPS in M10.</p>	<ul style="list-style-type: none"> - Identified risks related to the pending research activities at this stage of the project will imply the designing and implementation of further mitigation and monitoring measures that will be provided in the next updated version of the EIA.
	<p>Semi-structured interviews with adult migrants, refugees and asylum seekers (T3.4)</p>	<p>EU Guidance Note-Research on Refugees, Asylum seekers and Migrants (2020):</p> <ul style="list-style-type: none"> • Treat them with care and sensibility • Avoid ethnocentricity • Safeguard the dignity, safety and security of their family and friends • Respect their values and right to make their own decisions • Give special protection to participants with diminished autonomy 	<ol style="list-style-type: none"> 1. Voluntary participation of research participants 2. Recruitment procedures and criteria to participate in the research activities. 3. Processing of personal data (respect for privacy and data protection rights). 4. The particular vulnerability of some research participants (e.g, migrants, refugees and asylum seekers participating in the interviews) 5. Incidental findings 6. Gender discrimination 7. Bias presentation of the research activities 8. Misuse of the research 	<ol style="list-style-type: none"> 1. Ethical guidelines to conduct qualitative research activities have been provided by the ethical lead partner of the project to the Consortium (Section 5 of D.2.1). 2. Specific ethical guidelines have been provided to researchers in order to address challenging ethical issues that could arise in the interviews concerning: i) the particular vulnerability of the participants; ii) the recruitment plan for the interviewing team and the research participants; iii) the protection of personal data; iv) the need to ensure voluntary participation; v) and, the incidental findings policy to address potential incidental findings that may arise in the context of these interviews (see Section 1.4b of D.2.1). 3. A recruitment plan has been designed and provided to the Consortium for conducting the interviews of T3.4. 4. An Incidental finding policy has been designed for the project. 	

				<ol style="list-style-type: none"> 5. A Gender Policy has been designed for the project (D2.2). 6. A detailed description of the anonymisation techniques used to protect personal data that will be gathered in the interviews has been provided. 7. An Informed Consent Forms template has been designed specifically for conducting the interviews and has been provided to the Consortium partners in charge of conducting the interviews. 8. Ethics approvals/positive opinions from the internal ethics committees/bodies of the NGOs in charge of conducting the interviews have been requested before the starting of the interviews. 9. The DPA, the IEB and FIZ -as the responsible partner for data protection issues in ITFLOWS- have monitored and provided approvals regarding the relevant ethical guidelines, procedures, and policies mentioned above. 10. The Independent Gender Committee has provided a letter validating 	
--	--	--	--	---	--

				the Gender Action Plan and the Gender Policy specifically designed for the project.
	Webinars, online forums for training purposes on the EUMigraTool (T7.2)		<ol style="list-style-type: none"> 1. Processing of personal data in each communication medium (webinars, online fora, workshops, video tutorials...) selected to deliver training materials regarding the EUMigraTool. 2. Design of the online environment (support forum, wiki, knowledge repository, access to training materials) developed to be integrated into the project website (T7.2). 	No measures have been specifically implemented for T.7.2 at this stage of the project since this task will start in M15.
	Piloting tests in real environments of the EUMigraTool (T7.3)		<ol style="list-style-type: none"> 1. Anonymisation of data that will be used for test cases. 2. Qualitative and quantitative techniques that will be used to validate the functionalities of the EUMigraTool in real environments. 	No measures have been specifically implemented for T.7.3 at this stage of the project because this task will start in M24.

Table 2. Ethical Impact Assessment to identify and assess the ethical risks posed by the ITFlows research activities – Human participation

Topic	ITFLOWS Research activity	Ethical Values at stake	Identified Risks	Mitigation measures	Assessment
Data Protection	Macro qualitative (T3.1) and quantitative (T3.2) data on drivers of EU-bound irregular mixed migration in countries of origin and transit	European Code of Conduct for Research Integrity (ALLEA 2017): <ul style="list-style-type: none"> • Integrity • Reliability • Honesty • Respect • Accountability 	1. Negative impacts on the following provisions laid down by the EU GDPR: <ul style="list-style-type: none"> - Principles relating to the processing of personal data (Art. 5) - Lawfulness of processing (Art. 6) - Conditions for consent (Art. 7) - Processing of special categories of personal data (Art. 9) - Safeguards and derogations relating to processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes (Art. 89) - Rights of the data subject (Arts. 12-23) 2. Processing of available public data on countries of origin without	1. The DPIA conducted by FIZ has assessed: i) the purpose for the processing of publicly available data concerning macro qualitative (T3.1) and quantitative (T3.2) drivers of EU-bound irregular mixed migration in countries of origin and transit; ii) different data sources.	Data protection risks in ITFLOWS have been identified and analysed from a legal and ethical perspective through the DPIA and the EtSIA conducted by FIZ, IDT-UAB and BUL, respectively. In particular, the DPIA carried out by FIZ has provided: i) a systematic description of the data processing and the purposes of the processing; ii) an assessment of the necessity and proportionality of data processing on the basis of the specific purpose previously identified; iii) an assessment of the risks to the data subjects rights and freedoms; and iv) a set of measures to address the risks identified (including safeguards and security measures mechanisms to ensure personal data protection and legal compliance with the EU GDPR). On the other hand, the EtSIA, has
	Data from Big Data sources that reflect prospective migrant's intentions (T3.3).	Common EU Guidelines for processing Country of Origin Information (COI) (2008): <ul style="list-style-type: none"> • Relevance • Reliability • Currency • Accuracy • Traceability • Transparency Specific ethical principles governing		1. The DPIA conducted by FIZ has assessed the twofold purpose for the processing of data from big data sources. In this regard: i) Google Trend Indicators will be used to find connections between behaviour and future migrations flows (migration-related phases will be identified based on semantic-link.com); ii) the second purpose is to identify correlations between users' behaviours in social media (Twitter) and migration flows (entity detection in hashtags; content of tweets). 2. The ITFLOWS DPA and the IEB will closely monitor the processing of	

		<p>qualitative research activities in ITFLOWS (previously identified in Section 1.4a of D.2.1):</p> <ul style="list-style-type: none"> • Autonomy • Doing no harm 	<p>meeting the quality criteria principles for evaluating and validating such information as set out in the <i>Common EU Guidelines for processing Country of Origin Information (COI)</i>.</p>	<p>Twitter data. They will provide specific recommendations on this issue in the First IEB Semi-Annual Report that will be delivered by the end of February 2021.</p>	<p>identified and analysed data protection risks to ensure ethical compliance with the ethical framework previously identified for the project in D.2.1</p>
	<p>Data gathered from Migrants/Asylum seekers interviews (T3.4)</p>	<ul style="list-style-type: none"> • Equity • Diversity • Competence • Voluntary participation • Confidentiality and privacy • Transparency and accountability 	<p>3. Processing of personal data publicly available in social media networks for scientific research (e.g., Twitter data).</p> <p>4. Anonymisation techniques to protect personal data gathered from the interviews and social media networks.</p> <p>5. Retention periods</p>	<p>1. The DPIA conducted by FIZ has assessed the purpose for the processing of data gathered from interviews with adult migrants and asylum seekers (T3.4) and they have identified two different purposes: i) to obtain insights on drivers of migration; ii) to improve/refine predictive capabilities of the EUMigraTool and the outputs of other research activities conducted in ITFLOWS. 2. The ethical lead partner (IDT-UAB), jointly with FIZ, have assessed potential risks regarding the protection of personal data that will be gathered from the interviews (e.g., informed consent, anonymisation techniques to protect personal data, encryption). In order to minimise data protection concerns associated with the processing of personal data from the interviews, the following measures have been taken:</p>	<p>Data protection risks have been sufficiently addressed at this stage of the project. However, further monitoring activities will be conducted by FIZ and the UAB-IDT partners, to ensure that the processing of personal data in ITFLOWS is developed in full compliance with the applicable legal and ethical framework and accordingly to the internal and external monitoring strategy devised for the project. In this regard, the ITFLOWS DPA is proactively involved in monitoring and providing advice to the Consortium in relation with all data protection and privacy issues posed by the research activities foreseen within the project. Complementary, the IEB monitors data protection and privacy rights from an external</p>

				<ul style="list-style-type: none"> - An Informed Consent Template has been provided to conduct the interviews. - Anonymisation techniques to protect personal data gathered from the interviews have been reviewed and modified to address the risk of reidentification. - Privacy policies of the NGOs in charge of conducting the interviews and detailed information on the security and organisational measures that they have in place in their facilities have been requested by the ethics lead partner. - The ITFLOWS DPA and the IEB have provided: i) recommendations on the measures mentioned above that have been included in the final version of the documents delivered to the NGOs; ii) their formal validation that is included in the Annex of D.10.1; D.10.2; D.10.3. 	<p>and independent perspective, focusing on the ethical dimension of such citizens' rights.</p> <p>Finally, it is important to note that a Data Management Plan (D1.1) has been elaborated specifically for the project.</p>
--	--	--	--	---	--

	<p>Quantitative data of Member States (T4.1/T4.2/T4.3)</p>			<ol style="list-style-type: none"> 1. The DPIA has assessed the purpose for the processing of the German panel data in combination with DHS data that will be processed in these tasks. Data sources have been analysed. However, more detailed information regarding data sources to be processed in Task 4.1 needs to be provided by the leading partner (CEPS). 2. The ITFLOWS DPA will monitor upcoming clarifications on data sources to be used in T4.1. 	
	<p>Data from the NIEM and MIPEX European Projects; Asylum and refugee law and procedures (T4.3)</p>			<ol style="list-style-type: none"> 1. The DPIA has provided the processing description corresponding to data from the NIEM and MIPEX European Projects (T4.3). 2. The ethical lead partner (IDT-UAB) jointly with the ITFLOWS DPA will request further information to clarify if data from the European projects mentioned above are public outcomes or primary data obtained in the context of such projects. The aim is to evaluate if specific agreements for the reuse of such data need to be signed before their processing in ITFLOWS. 	

	<p>Pan-European surveys, combined with aggregate-level data on different countries (T5.2)</p>			<p>1. The DPIA has assessed the purpose for the processing of Pan-European surveys combined with aggregate-level data on different countries as well as public data sources that will be used (European Social Survey, European Value Study, Eurobarometer; Eurostat, OECD) under T4.2.</p>	
	<p>Big Data (Task 5.3): geo-referenced tweets for hate speech content; ii) geographically disaggregated data at the destination country level.</p>			<p>1. The processing purpose of the Twitter data has been analysed in the DPIA conducted by FIZ.</p> <p>2. The ethical lead partner jointly with the ITFLOWS DPA and the IEB will request further clarifications on how “georeferenced opinions of the masses” (extracted from Tweets) will be analysed. Hate-speech and non-hate speech analysis based on subclasses will be closely monitored.</p>	
	<p>Open-intelligence data sources (T6.2): video content, web news, social media.</p>			<p>1. The ethics lead partner jointly with the ITFLOWS DPA will request further information regarding the processing purpose of news outlets/videos in Task 6.2. In line with the DPIA conducted by FIZ further clarifications are needed to evaluate the processing of such data by CERTH to design the EUMigraTool simulation component.</p>	

	<p>Data gathered from the organisations that will test the EUMigraTool (T7.3).</p>			<p>1. The ethical lead partner (IDT-UAB) jointly with the ITFLOWS DPA will request further information regarding data processing in the context of the EUMigraTool Final Pilot Validation in real environments to provide advice on the potential risks concerning data protection that this piloting research activity may entail.</p>	
	<p>Participatory workshops data (WP3/WP6/WP7/WP8).</p>			<p>1. An Informed Consent Template Form has been designed and provided to conduct T6.5 (dedicated end-user board workshop to design visualisation mock-ups and indicative workflows to be implemented in the EUMigraTool. This workshop has been attended only by internal end-users). The aim of this informed consent template form was to ensure obtaining consent to record the live Teams session and to take photographs.</p> <p>2. Informed Consent Templates to conduct workshops with policy makers (T8.2) will be designed and provided to CDS/CEPS in M10.</p>	

Table 3. Ethical Impact Assessment to identify and assess the ethical risks posed by the ITFLOWS research activities – Data protection

Topic	ITFLOWS Research activity	Ethical Values at stake	Identified Risks	Mitigation measures	Assessment
Technological development of the EUMigraTool	WP6 and WP7	<p>European Code of Conduct for Research Integrity (ALLEA 2017):</p> <ul style="list-style-type: none"> • Integrity • Reliability • Honesty • Respect • Accountability <p>Ethics Guidelines for Trustworthy Artificial Intelligence (High-Level Expert Group on AI):</p> <ul style="list-style-type: none"> • Human autonomy • Prevention of harms • Fairness • Transparency 	<ol style="list-style-type: none"> 1. Privacy-preserving design of the EUMigraTool 2. Data workflow in the EUMigraTool 3. Legal and Ethical compliance of the EUMigraTool with the applicable legal framework identified for the project. 4. Misuse of the EUMigraTool. 	<ol style="list-style-type: none"> 1. The UAB-IDT has attended the dedicated Users Board workshop to design visualisation mock-ups and indicative workflows to be implemented in the EUMigraTool (held virtually on January 2021) with the aim of gathering further information on: i) end-users' requirements; ii) and the EUMigraTool functional requirements. 2. The IDT-UAB jointly with the DPA and the IEB will provide recommendations on the EUMigraTool functional requirements contained in D. 7.1 (Users Board Participatory Feedback Report). This is because these requirements will represent a key part of the input necessary to develop EUMigraTool specifications and architecture. 	<p>Risks are not sufficiently mitigated at this stage of the project. Further information regarding the technical development of the EUMigraTool will be requested to CERTH to properly assess the potential negative impact that technologies involved in the EUMigraTool in terms of jeopardising human rights.</p>

Table 4. Ethical Impact Assessment to identify and assess the ethical risks posed by the ITFLOWS research activities – Technological development of the EUMigraTool

1.2.2 Mitigation measures to minimise negative ethical impacts

The following mitigation measures have been taken at the current stage of the project (M6) to avoid or at least minimise negative ethical impacts related to human participation:

1. The first draft of the conceptual paper (T3.1, Milestone 1), has been reviewed by the ethical lead partner. This paper aims to understand irregular migration trajectories from departure to the final destination, as well as to provide detailed information regarding the design of the interviews that will be conducted in T3.4.
2. An Informed Consent Template Form has been designed and provided to conduct T7.1 (an end-user board workshop to design visualisation mock-ups and indicative workflows to be implemented in the EUMigraTool, only attended by internal end-users). The aim of this informed consent template form was to obtain consent to record the live Zoom session and to take photographs.
3. Informed Consent Templates to conduct workshops with policy makers (T8.2) will be designed and provided to CDS/CEPS in M10. Ethical guidelines to conduct qualitative research activities have been provided by the ethical lead partner of the project to the Consortium (Section 5 of D.2.1).
4. Specific ethical guidelines have been provided to researchers in order to address challenging ethical issues that could arise in the interviews concerning i) the particular vulnerability of the participants; ii) the recruitment plan for the interviewing team and the research participants; iii) the protection of personal data; iv) the need to ensure voluntary participation; and v) the incidental findings policy to address potential incidental findings that may arise in the context of these interviews (see Section 1.4b of D.2.1).
5. A recruitment plan has been designed and provided to the Consortium for conducting the interviews of T3.4.
6. An Incidental Finding Policy has been designed for the project.
7. A Gender Policy has been designed for the project (D2.2).

8. A clear description of the anonymisation techniques used to protect personal data that will be gathered in the interviews has been provided.
9. Informed Consent Forms templates have been designed specifically to conduct the interviews and provided to the Consortium partners in charge of them.
10. Ethics approvals/positive opinions from the internal ethics committees/bodies of the NGOs in charge of conducting the interviews have been requested before the starting of the interviews.
11. The DPA, the IEB and FIZ -*as the responsible partner for data protection issues in ITFLOWS*- have monitored and provided approvals on relevant ethical guidelines, procedures, and policies mentioned above.
12. The Independent Gender Committee has provided a letter validating the Gender Action Plan and the Gender Policy specifically designed for the project.

As for ensuring data protection in ITFLOWS, the mitigation measures envisaged to minimise data protection risks identified are in place after examining the data processing foreseen for each research activity and considering the results of the Data Protection Impact Assessment conducted by FIZ and presented in Section 2 of this Deliverable. These are the mitigation measures implemented by the ethical lead partner related to data protection in ITFLOWS:

1. The ITFLOWS DPA and the IEB will closely monitor the processing of Twitter data. They will provide specific recommendations on this issue in the First IEB Semi-Annual Report that will be delivered by the end of February 2021.
2. The ethical lead partner (IDT-UAB), jointly with FIZ, has assessed the potential risks regarding the protection of personal data that will be gathered from the interviews (e.g., informed consent, anonymisation techniques to protect personal data, encryption). To minimise protection of personal data concerns associated with the processing of personal data from the interviews, the following measures are in place:

- An Informed Consent Template has been provided to conduct the interviews.
- Anonymisation techniques to protect personal data gathered from the interviews have been reviewed and properly modified to address the risk of reidentification.
- Privacy policies of the NGOs in charge of conducting the interviews and detailed information on the security and organisational measures that they have in place in their facilities have been requested by the ethics lead partner.
- The ITFLOWS DPA and the IEB have provided: i) recommendations on the measures mentioned already above that have been included in the final version of the documents delivered to the NGOs; ii) their formal validation that will be included in the Annex of D.10.1; D.10.2; D.10.3.

3. More detailed information regarding the data sources to be processed in Task 4.1 needs to be provided by the leading partner (CEPS). The ITFLOWS DPA will monitor upcoming clarifications on data sources to be used in T4.1.

4. The ethical lead partner (IDT-UAB), jointly with the ITFLOWS DPA, will request further information to clarify whether data from the European projects NIEM and MIPEX are public outcomes or primary data obtained in the context of such projects. The aim is to evaluate the hypothetical need to sign specific agreements for the reuse of such data before their processing in ITFLOWS.

5. The ethical lead partner, jointly with the ITFLOWS DPA and the IEB, will request further clarifications on how “georeferenced opinions of the masses” (extracted from Tweets) will be analysed. Hate-speech and non-hate speech analysis based on subclasses such as aggressiveness, offensiveness, stereotypes, or racism will be closely monitored.

6. The ethics lead partner, jointly with the ITFLOWS DPA, will request further information regarding the processing purpose of news outlets/videos in Task 6.2. In line with the DPIA conducted by FIZ, further clarifications are needed to evaluate the processing of such data by CERTH to design the EUMigraTool

simulation component.

7. The ethical lead partner (IDT-UAB), jointly with the ITFLOWS DPA, will request further information regarding data processing in the context of the EUMigraTool Final Pilot Validation in real environments to provide advice on the potential risks on data protection that this piloting activity may entail.

8. An Informed Consent Template Form has been designed and provided to conduct T7.1, which consisted of an end-user board's workshop to discuss design visualisation mock-ups and indicative workflows to be implemented in the EUMigraTool. As mentioned above, that workshop was attended only by internal end-users. The aim of the informed consent template form was to obtain consent to record the live Teams session and to take photographs.

9. Informed Consent Templates to conduct workshops with policy makers (T8.2) will be designed and provided to CDS/CEPS in M10.

Finally, as for the technological development of the EUMigraTool, the identified mitigation measures are the following:

1. The UAB-IDT has attended the Users Board workshop to design visualisation mock-ups and indicative workflows to be implemented in the EUMigraTool (held virtually on January 2021), with the aim of gathering further information on: i) end- users' requirements; ii) and the EUMigraTool functional requirements.

2. The IDT-UAB jointly with the DPA and the IEB will provide recommendations on the EUMigraTool functional requirements contained in D.7.1 (Users Board Participatory Feedback Report) since these requirements will represent a key part of the input necessary to develop EUMigraTool specifications and architecture.

1.2.3 Identification and evaluation of the societal risks

TOPIC	RELEVANT INTERNATIONAL AND EU LEGISLATION	IDENTIFIED RISK	GROUPS ESPECIALLY VULNERABLE	MITIGATION MEASURES	ASSESSMENT
<p>Discrimination</p>	<ul style="list-style-type: none"> -International Convention on the Elimination of All Forms of Racial Discrimination - Article 2 International Covenant on Civil and Political Rights - Article 2 of the International Covenant on Economic, Social and Cultural Rights - Article 21 EU Charter of Fundamental Rights - Article 3 of the Refugee Convention - ECtHR European Roma Rights Centre v Greece - Art 60 And 61 of the Istanbul Convention (for women in violence) - CEDAW <ul style="list-style-type: none"> ⇒ Discrimination is prohibited in purpose or in effect, in law or practice. ⇒ Discrimination in all aspects of public life ⇒ No segregation of migrants allowed. ⇒ States are obliged to take positive measures when needed to ensure real equality in effect, e.g., additional classes just for migrants. 	<p>Data provided may lead to discriminatory choices based on characteristics:</p> <ul style="list-style-type: none"> •Discrimination (experienced by the migrants’ inflows identified in the data). <p>Discrimination may even become <i>structural discrimination</i> with specific organised discriminatory measures against migrants and refugees, because of the time the authorities have to set up structures until the migrants arrive</p> <ul style="list-style-type: none"> • Possible discrimination of already vulnerable groups (gender, disabilities, religion, sexual orientation, gender identity and characteristics, race, ethnicity, class etc.)-<i>intersectional discrimination</i> • Stereotypes (media and politicians may create 	<ul style="list-style-type: none"> • All migrants entering the state • Women and girls • LGBTQI+ individuals • Disabled people • Muslims (because of current Islamophobia) • Groups with further intersectional vulnerabilities (e.g., disabled Muslim women) 	<ul style="list-style-type: none"> • To ensure that the project does not encourage selective implementation of the right to asylum • To ensure that the project does not encourage discrimination, either direct or indirect, in law or in practice or structural on any ground. Particular attention will be given to the use of the IT tools in a manner that does not discriminate specific sections of the potential inflows. • To identify the vulnerable groups and individuals affected by intersectional discrimination in each research activity • To only identify and register the vulnerable characteristics of individuals if and to the extent that is absolutely necessary for the positive outcomes of the project 	<p>Societal risks have been clearly identified at this initial stage of the project and a set of mitigation measures has been suggested to be implemented for addressing such risks. However, further monitoring activities will be conducted by the ethical lead partner and the external monitoring bodies involved in performing the ethical monitoring strategy designed for ITFLOWS (DPA, EAB and the IGC). The aim of reinforcing close monitoring activities regarding the societal mitigation measures already</p>

Deliverable 2.3

	<p>ECtHR European Roma Rights Centre v Greece: non-discrimination to ethnic groups, positive measures needed</p>	<p>stereotypes based on the specific characteristics identified in the data in relation to gender, sexuality, religion, race, and class)</p> <ul style="list-style-type: none"> • Hate speech (towards the specific migrants’ inflows and their characteristics, their religion, ethnicity etc • Data may be used to restrict the right to asylum 		<ul style="list-style-type: none"> • To take positive measures to mitigate and address discrimination and ensure real equality. For example, make measures to make migrant women more at ease in interviews; or ensure childcare during the interview. 	<p>identified is twofold: i) ensuring compliance with the Human Rights International and EU legal framework applicable for the project focusing particularly in avoiding or at least minimising negative societal impacts of the project; ii) to increase positive impacts of the research activities developed in ITFLOWS for the society.</p>
<p>Restriction of funding and services as a result of the use of the EUMigraTool</p>	<p>International Covenant on Economic, Social and Cultural Rights:</p> <ul style="list-style-type: none"> ⇒ art 2.3 obliges states to take progressive measures to implement socio-economic rights, even in times of crisis ⇒ exclusions of aliens from socio-economic measures are possible only in developing states ⇒ the test for any limitation of rights (legality, legitimacy, proportionality) has to always be applied <p>ECtHR:</p> <ul style="list-style-type: none"> ⇒ ECtHR MSS case; living conditions for refugees have to fulfil some basic conditions, otherwise it is a violation of torture, inhumane and degrading treatment) ⇒ ECtHR <i>European Roma Rights Centre v Greece</i>: special consideration to 	<p>The EUMigraTool may be used to restrict or even discontinue funding and services:</p> <ul style="list-style-type: none"> • States making selective choices for migrants and refugees and treat them unjustifiably differently from the rest of the population • Continuing violations of socio-economic rights • Choices made affecting specific rights, such as health, education etc of migrants and refugees in specific areas • Lack of integration 	<ul style="list-style-type: none"> • All asylum seekers and migrants are vulnerable • Refugees are currently not getting any state help in some states once their status is recognised • Even greater vulnerability are LGBTQI+ individuals, persons with severe/ chronic health and mental health issues, survivors of GBV, unaccompanied minors, single female-headed households, disabled persons 	<ul style="list-style-type: none"> • Advocacy through the dissemination (stakeholders’ events, policy briefs, recommendations) and the recommendations of the project to ensure that EU funding continues to be distributed to the areas most in need to manage migration flows. • To identify areas of possible discrimination and suggest solid mitigating measures • To suggest in recommendations realistic clear positive policy measures • To vocalise in the monitoring of the project violations of 	

Deliverable 2.3

	<p>different lifestyles; <u>positive measures needed</u></p> <p>⇒ <i>FIDH v Ireland</i>: non-discrimination</p> <p>Revised European Social Charter:</p> <p>⇒ only for regular migrants</p> <p>⇒ even right to social and medical emergency only to the ones lawfully resident in the EU- art. 13(4)</p> <p>⇒ European Charter of Fundamental Rights</p>			<p>states obligations in the lifespan of the project</p> <ul style="list-style-type: none"> • To educate in monitoring and dissemination of the project the two-way aspect of integration that includes duties of the state for socio-economic relevant conditions 	
<p>Decision-making process</p>	<p>Individualised assessment of refugee status:</p> <ul style="list-style-type: none"> • Article 6 of the Universal Declaration of Human Rights • Preamble of the 1951 Refugee Convention <p>Non-refoulement and access to territory:</p> <ul style="list-style-type: none"> • Article 32 and 33 of the 1951 Refugee Convention <p>And non-discrimination:</p> <ul style="list-style-type: none"> • International Convention on All Forms of Racial Discrimination • Article 2 International Covenant on Civil and Political Rights • Article 2 of the International Covenant on Economic, Social and Cultural Rights 	<p>States may decide to make choices based on the size of inflows, rather than the individual characteristics. States may also decide to make collective decisions on asylum or focus only on humanitarian assistance:</p> <ul style="list-style-type: none"> • Lack of access to asylum and territory • Increase of irregular migration • Discrimination 	<ul style="list-style-type: none"> • All migrants and asylum seekers, including asylum seekers from countries with low refugee recognition rate. • Particularly negative effects on health of refugees with severe/ chronic health and mental health issues, survivors of GBV, unaccompanied minors, single female-headed households, disabled persons and LGBTQI+ persons 	<ul style="list-style-type: none"> • To continuously stress the importance of applying all legal frameworks and tools • To disseminate, as far as possible, the importance of not making collective decisions through academic publications, reports, and several policy briefs • To include it in the recommendations of the project (final WP) 	

Deliverable 2.3

	<ul style="list-style-type: none"> • Article 21 EU Charter of Fundamental Rights • Article 3 of the Refugee Convention • ECtHR European Roma Rights Centre v Greece • Art 60 And 61 of the Istanbul Convention (for women in violence) • CEDAW 	<ul style="list-style-type: none"> • Catastrophic effects on physical and mental health of unjustifiably undeclared refugees 			
<p>Creation of ghettos</p>	<ul style="list-style-type: none"> • Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down the standards for the reception of applicants of international protection • Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers • CERD Art 1.4 	<p>States may use the data provided to create ghettos of migrants:</p> <ul style="list-style-type: none"> • Segregation • Increased health issues, such as the spread of COVID-19 • Inhumane living conditions • Maintenance or even reinforcement of poverty in such areas • Poor quality services (recreating living conditions of closed centres) • Lack of integration 	<p>All asylum seekers and migrants, but particularly the most vulnerable amongst them, such as LGBTQI+, persons with severe/ chronic health and mental health issues, survivors of GBV, Unaccompanied Minors, single female-headed households, disabled persons, etc.</p>	<ul style="list-style-type: none"> • To disseminate, as far as possible, the importance of equal funding and non-discrimination in this respect • To inform stakeholders through academic publications, reports, and several policy briefs • To include it in the recommendations of the project (final WP) 	
<p>Role of</p>	<p>Individualised assessment of refugee status:</p>	<p>Enforcement Bodies may use</p>	<p>All asylum seekers and</p>	<ul style="list-style-type: none"> • To ensure that enforcement 	

Deliverable 2.3

<p>Enforcement Bodies</p>	<ul style="list-style-type: none"> • Article 6 of the Universal Declaration of Human Rights • Preamble of the 1951 Refugee Convention <p>Non-refoulment and access to territory</p> <ul style="list-style-type: none"> • Article 32 and 33 of the 1951 Refugee Convention <p>Right to fair trial, prohibition of arbitrary detention and prohibition of degrading and inhumane treatment:</p> <ul style="list-style-type: none"> • ICCPR, ECHR, European Charter of Fundamental Rights • UN Expanded Pocket book on human rights for the Police (2004) • FRA, Fundamental rights-based police training (2019) • ECtHR extensive case law 	<p>the EUMigraTool to tighten controls:</p> <ul style="list-style-type: none"> • Lack of proportionality • Abuse of power by police • Non-refoulment violated • Denial of access to asylum and protection 	<p>migrants, but particularly the most vulnerable amongst them, such as LGBTQI+, persons with severe/ chronic health and mental health issues, survivors of GBV, Unaccompanied Minors, single female-headed households, disabled persons, etc</p>	<p>bodies have no direct access to the EUMigraTool</p> <ul style="list-style-type: none"> • To recommend training of enforcement bodies • To recommend and highlight the on-site inspections at the borders by the independent watchdogs and NGOs • To recommend regular focus groups with asylum seekers and migrant to assess their treatment by law enforcement staff, systematically
<p>Identification and penalisation for irregularities</p>	<p>Individualised assessment of refugee status:</p> <ul style="list-style-type: none"> • Article 6 of the Universal Declaration of Human Rights • Preamble of the 1951 Refugee Convention <p>Principle of non-penalisation of asylum seekers:</p> <ul style="list-style-type: none"> • 1951 Refugee Convention • ECtHR <p>Rights providing safeguards from police/law enforcement abuse or mistreatment:</p>	<p>Migrants and asylum seekers may get identified and penalised for irregularities:</p> <ul style="list-style-type: none"> • Personal data violated • Increased surveillance of asylum seekers • Penalisation of refugees 	<p>All asylum seekers and migrants, but particularly the most vulnerable amongst them, such as LGBTQI+, persons with severe/ chronic health and mental health issues, survivors of GBV, unaccompanied minors, single female-headed households, disabled persons, etc.</p>	<ul style="list-style-type: none"> • Involvement of enforcement authorities in the project in any capacity possible but not allowing direct access • To highlight and recommend the importance of the role of civil society in its capacity to monitor (in recommendations and in dissemination leaflets) • To monitor the effects of the project

Deliverable 2.3

	<ul style="list-style-type: none"> • ICCPR, ECHR, European Charter of Fundamental Rights • UN Expanded Pocket book on human rights for the Police (2004) • FRA, Fundamental rights-based police training (2019) • ECtHR extensive case law 			<ul style="list-style-type: none"> • To recommend the increased legal aid for asylum seekers • To recommend the training of judicial staff and enforcement bodies 	
<p>Reinforcement of fear and arguments against migration</p>	<p>On hate speech:</p> <ul style="list-style-type: none"> • Article 4 of the International Convention on All Forms of Racial Discrimination • Articles 19 and 20 of the International Covenant on Civil and Political Rights • General Comment No 34 UN HRC (2012) • Art 10 ECHR • European Commission against Racism and Intolerance (ECRI) Policy Recommendation No 15 on Hate Speech (2016) • Article 21 EU Charter of Fundamental Rights • Council framework decision non ‘combatting certain forms and expressions of racism and xenophobia by means of criminal law 2008/913/JHA, 28.11.2008 <p>On intercultural dialog:</p> <ul style="list-style-type: none"> • Arts 6 and 12 of the CoE Framework Convention on National Minorities 	<p>Data may reinforce fear and arguments against migration. May lead to increased hate speech in areas where the inhabitants are informed that the inflows will move:</p> <ul style="list-style-type: none"> • Hate speech • Discrimination • Less rights for asylum seekers and migrants • Lack of social cohesion 	<p>All asylum seekers and migrants are especially vulnerable, but particularly the most vulnerable amongst them, such as LGBTQI+, persons with severe/ chronic health and mental health issues, survivors of GBV, Unaccompanied Minors, single female-headed households, disabled persons, etc.</p>	<ul style="list-style-type: none"> • Informative and raising awareness activities on the benefits of migration to a wide variety of stakeholders, particularly at the local level and in border regions • To identify local partners that can support these activities and a positive voice in society • To vocalise the fears that local authorities may use the data on attitudes to restrict the right to asylum 	
<p>Suspicious about ITFLOWS project</p>	<ul style="list-style-type: none"> • UN Declaration on the Rights of Persons belonging to Ethnic or National, Religious or Linguistic Minorities 	<p>Refugees, migrants, and NGOs may see this project suspiciously as a way to restrict their rights:</p>	<ul style="list-style-type: none"> • Asylum seekers and migrants 	<ul style="list-style-type: none"> • Continuing to actively involve effectively all interested parties, e.g., migrants, asylum seekers and refugees but also civil society 	

Deliverable 2.3

	<ul style="list-style-type: none"> • CoE Framework Convention on National Minorities 	<ul style="list-style-type: none"> • Relations with civil society and refugees are undermined • Decreased capacity to understand efficiency • Efficacy of the EUMigraTool without the cooperation of key stakeholders on the ground 	<ul style="list-style-type: none"> • Civil society 	<p>in the project</p> <ul style="list-style-type: none"> • Increased information provided on project goals, objectives, and deliverables to key stakeholders on the ground in a regular, timely and systematic manner • Being open to all opinions and discuss them with argumentation and human rights standards as the main guide 	
<p>Lack of inclusion</p>	<ul style="list-style-type: none"> • Art 2 of the UN Declaration on the Rights of Persons belonging to Ethnic or National, Religious or Linguistic Minorities • Art 5 (on integration), art 15 (on effective participation) of the CoE Framework Convention on National Minorities 	<p>Refugees and migrants may feel that there is yet another initiative where they were not included:</p> <ul style="list-style-type: none"> • Lack of effective participation of minorities in matters that affect them • Lack of integration • Project/ EUMigraTool is ineffective 	<p>Asylum seekers and migrants</p>	<ul style="list-style-type: none"> • To continue giving the migrants and refugees ownership of the project through the interest groups • To ensure that all actions of the project focus on integration • To monitor that integration measures favour the dual approach (obligations by both the state and the migrants and refugees) • To ensure that integration is not used as a pretext for securitization and discrimination 	

Deliverable 2.3

<p>Change of facts</p>	<p>International Covenant on Economic, Social and Cultural Rights:</p> <ul style="list-style-type: none"> ⇒ art 2.3 obliges states to take progressive measures to implement socio-economic rights, even in times of crisis ⇒ exclusions of aliens from socio-economic measures are possible only in developing states ⇒ the test for any limitation of rights (legality, legitimacy, proportionality) has to always be applied <p>ECtHR:</p> <ul style="list-style-type: none"> ⇒ ECtHR MSS case; living conditions for refugees have to fulfil some basic conditions, otherwise it is a violation of torture, inhumane and degrading treatment) ⇒ ECtHR <i>European Roma Rights Centre v Greece</i>: special consideration to different lifestyles; <u>positive measures needed</u> ⇒ <i>FIDH v Ireland</i>: non-discrimination <p>Revised European Social Charter:</p> <ul style="list-style-type: none"> ⇒ only for regular migrants ⇒ even right to social and medical emergency only to the ones lawfully resident in the EU- art. 13(4) <p>European Charter of Fundamental Rights</p>	<p>Facts may change due to new financial or environmental crises and COVID-19-related issues:</p> <ul style="list-style-type: none"> • Data not useful • States making selective choices for migrants and refugees and the areas where they inhabit • Increased restrictions of socio-economic rights • Choices made affecting specific rights, such as health, education etc of migrants and refugees in specific areas • Lack of integration 	<ul style="list-style-type: none"> • All asylum seekers and migrants are vulnerable • Refugees are currently not getting any state help in some states once their status is recognised • Even greater vulnerability are LGBTQI+ individuals, persons with severe/chronic health and mental health issues, survivors of GBV, unaccompanied minors, single female-headed households, disabled persons 	<ul style="list-style-type: none"> • Advocacy through the dissemination (stakeholders' events, policy briefs, recommendations) and the recommendations of the project to ensure that EU funding continues to be distributed to the areas most in need to manage migration flows • To identify areas of possible discrimination and suggest solid mitigating measures • Continuous monitoring of the application of the legal standards • Continuous checking of the project's actions with the interested parties 	
-------------------------------	--	---	--	---	--

Deliverable 2.3

<p>Limitations of the New Pact for Asylum and Migration</p>	<ul style="list-style-type: none"> • New Pact on Migration and Asylum • Human rights standards as above • Refugee Convention 	<p>Legal framework and policies may change due to the New Pact for Asylum and Migration:</p> <ul style="list-style-type: none"> • The findings of the EUMigraTool are no longer relevant, since the EU system has changed and leans towards the guarding of the borders 	<ul style="list-style-type: none"> • Asylum seekers and migrants • Civil society 	<ul style="list-style-type: none"> • Dissemination of compatibility of the New Pact with existing human rights standards • Continuous use of the existing human rights standards in all phases of the project and in all communication with external persons • Emphasis in dissemination of the importance of the test for restrictions of human rights (legality, legitimacy, proportionality) • Flexibility and revisability of the project • Formal and informal communication between all parties and with the European Commission
<p>Limited resources</p>	<p>All the above- the whole international and EU law on human rights, migration and refugee rights</p>	<p>Limited resources might mean that the project has no impact:</p> <ul style="list-style-type: none"> • No difference to the existing situation • The project legitimises the existing situation • Lack of integration • Discrimination 	<ul style="list-style-type: none"> • All asylum seekers and migrants are especially vulnerable, but particularly the most vulnerable amongst them, such as LGBTQI+, persons with severe/chronic health and mental health issues, survivors of GBV, Unaccompanied Minors, single female-headed households, disabled persons, etc. • Civil society 	<ul style="list-style-type: none"> • Advocacy to ensure (increased) funding continues to be provided to areas receiving increased migration flows • Monitoring continuously of the human rights effects of the project • Dissemination of principles of substantive equality • Communication with

		<ul style="list-style-type: none"> • Decreased access to rights 	<ul style="list-style-type: none"> • Local authorities and communities 	<ul style="list-style-type: none"> partners, focus and interested parties to raise awareness. 	
--	--	--	---	--	--

Table 5. Societal Impact Assessment to identify and assess societal risks posed by the ITFLOWS research activities

1.2.3 Mitigation measures to minimise societal negative impacts

In order to avoid societal risks regarding data provided may lead to **discriminatory choices of migrants** based on characteristics, the following mitigation measures have been proposed:

1. Ongoing discussions and recommendations to prevent as much as possible the project being used to restrict of the right to asylum and prepare/ allow pushbacks.
2. To ensure that the project does not encourage discrimination, either direct or indirect, in law, in practice or structural by adopting an intersectional approach to research, analysis and policy recommendations as outlined in the ITFLOWS Gender Action Plan (D2.2) under Section 5(B), (C), (E).
3. The need to identify the vulnerable groups affected, especially by the research activities foreseen to be conducted in each WP of the project by adopting gender and sexuality sensitive methodologies and abiding Incidental Findings policy and its procedures in the case of human and sexual and victims of sexual and gender-based violence as outlined in the ITFLOWS Gender Action Plan under section 5(B).
4. To only identify and register vulnerable characteristics of individuals if and to the extent that is absolutely necessary for the positive outcomes of the project.
5. To take positive measures to mitigate and address discrimination and ensure real equality. For example, during interviews to ensure that vulnerable individuals are given additional time or attention to deliver; or to highlight repeatedly the need for special protection of unaccompanied children.

As for minimising societal risks related to the use of the EUMigraTool for **reducing or even discontinue funding and services**, the following mitigation measures have been identified:

1. Advocacy through the dissemination (stakeholders' events, policy briefs,

recommendations) and the recommendations of the project in order to ensure that EU funding continues to be distributed to the areas in need, to adequately manage migration flows.

2. To identify areas of possible discrimination and suggest solid mitigating measures by disaggregating the data in relation to gender, sexuality, race, and ethnicity in Big Data as outlined both in Deliverable 2.1 and in the ITFLOWS Gender Action Plan in Section 5(D).

3. To suggest in recommendations realistic clear positive policy measures that take into consideration indicators that are sensitive to gender, sexuality, race and ethnicity and that take into account the realities of various groups, including migrant women or LGBTQI+ persons as outlined in the ITFLOWS Gender Action Plan under Section 5(D).

4. To vocalise in the monitoring of the project violations of states' obligations during the lifespan of the project by means of policy recommendations and stakeholder policy workshops.

5. To highlight during monitoring and dissemination of the project the two-way aspect of integration that includes duties of the state for socio-economic relevant conditions.

Concerning the societal risks related to the fact that Member States may decide to make **choices based on the size of inflows**, rather than the individual characteristics; or that Member States may also decide to make collective decisions on asylum or focus only on humanitarian assistance, the measures to be taken are the following:

1. To continuously stress the importance of applying minimum standards and states obligations as enumerated in D2.1.
2. To continuously stress that securitization of migration must not impact on the agreed human rights obligations.
3. To disseminate, as far as possible, the importance of not making collective decisions through academic publications, reports, and several policy briefs that will be disseminated widely by means of social media and targeted stakeholder workshops.

As for the societal risk identified regarding the fact that Member States may use the data provided to **create ghettos of migrants**:

1. To disseminate, as far as possible, the importance of equitable funding among States and among civil society bodies working on migration by means of raising the issue in policy reports, academic journal articles, reports; and
2. To inform stakeholders through academic publications, reports, and several policy briefs of the risk and negative effects of ghettoization of migrants.

Regarding the risks related to the role of enforcement bodies of **using the EUMigraTool to tighten controls and restrict the right to asylum**, four mitigation measures have been proposed:

1. To recommend that law enforcement bodies do not have direct access to the EMT, only to the information on the results given by the independent manager of the EUMigraTool;
2. To recommend that predictive tools for migration management to be deployed in the humanitarian sector must be entrusted to a very specific, objective, human rights-oriented body and not become widely available;
3. To recommend and highlight in all policy briefs and stakeholder workshops the need for regular on-site inspections at the borders by independent watchdogs and NGOs to ensure that no negative impact is produced to migrants' rights because of the ITFLOWS tools; and
4. To recommend in all policy briefs and stakeholder workshops the need of arranging regular focus groups with asylum seekers and migrants to systematically assess their treatment by law enforcement staff.

As for the risk that **migrants and asylum seekers may get identified and sanctioned** for irregularities, these are the mitigation measures identified:

1. To ensure that data contains no personal identification that can trace

specific individuals.

2. To ensure that the data will be erased after its use for ITFLOWS has been served.
3. To be very selective on who has access to data.

Concerning the risks of **reinforcing fear and arguments against migration**, or the increasing hate speech in areas where the inhabitants are informed that the inflows will move, the mitigating actions are:

1. To identify and support local partners, such as civil society organisations and migrants' bodies that can support these activities as a positive voice in society.
2. To insist in all discussions with external stakeholders that local authorities must not use this data as a basis to restrict the right to asylum or migrants' rights.

In relation to the suspicions that the ITFLOWS project could raise in terms of **restricting refugees and migrants' rights**:

1. To continue to actively and effectively raise awareness of the high societal risks that the project entails should it be given to specific entities that favour the securitization and sideline the human rights guarantees of migrants.
2. To be objective and well-balanced in the discussions so that all views are discussed with arguments.
3. To increase the provision of timely and systematic information to all stakeholders on project goals, objectives, and deliverables to key stakeholders.

Societal risks related to the **lack of inclusion of refugees and migrants** will be handled with the following mitigation measures:

1. Favour giving migrants and refugees ownership of the project, when possible, through the interest groups and the civil society working with them.

For example, the advice of migrants and asylum seekers we connect to is important.

2. Ensure that all actions of the project put their focus on the dual understanding of 'integration' of migrants in a manner that they are included and even empowered.
3. Highlight in all policy briefs the importance of monitoring the identified integration measures and their effectiveness.

Concerning the risks of changing facts due to new financial or **environmental crises and COVID-related issues**, two specific mitigation measures have been suggested:

1. Flexibility in the development of the project in a way that mitigates for such possibilities.
2. Recommendations that emphasise that crises and unforeseen events cannot lead to the restriction of the migrant and refugee rights in the name of the successful completion and implementation of the deliverables of the project.

Beyond the above, the partners have identified risks related to the **implementation of the New Pact for Asylum and Migration** in the context of the EU legal framework and policies on migration in terms of asylum seekers and migrants' human rights impacts will be addressed with the following mitigation measures:

1. Dissemination of compatibility of the New Pact with existing human rights standards by means of the policy briefs addressing human rights.
2. Emphasis in the dissemination of the importance of the test for restrictions of human rights (legality, legitimacy, proportionality where relevant) as it relates to the implementation practices of EU member states of the New Pact.
3. Continuous review of the legal frameworks to update them. If the New Pact becomes legislation, the WP2 partners will update the report to reflect such changes; and monitor the application of any new requirements in the work

of the project.

4. Formal and informal communication between all parties and with the European Commission to ensure that any new important developments on relevant legislation will be taken into account.

Concerning the risks of **limited resources** that could entail that the project has no impact, the following mitigation measures have been envisaged:

1. Advocacy to ensure (increased) funding continues to be provided to areas receiving increased migration flows.
2. New or additional opportunities for funding are sought.
3. On-going discussions among partners to reflect on the adequacy of resources and the possible re-allocation of resources to prevent substantial gaps in the successful completion of the project. For example, COVID has meant that travel funding has not been exhausted and can potentially be used for other gap created by the lack of interaction among partners due to COVID.

2. DATA PROTECTION IMPACT ASSESSMENT

This section serves three main objectives:

- 1) It explains to the ITFLOWS partners what is a *Data Protection Impact Assessment*, DPIA, and what are the general requirements set by the GDPR.
- 2) It describes the DPIA methodology that will be applied over the course of the ITFLOWS project.
- 3) It launches the DPIA process (T2.2) which aims at helping partners to systematically identify, analyse and minimise the data protection risks of their processing activities, and it includes initial findings from the first iteration of what will be a cyclic assessment involving all the partners of the project.¹⁴

The initial findings included in this section help the relevant partners to commence the data analysis with low-risk datasets, but also depicts potential risks that are likely to require further assessment and the development of specific mitigation measures over the course of the project.

The analysis is structured in 3 parts. Part 1 provides information on the DPIA and on the general requirements set by the GDPR. Part 2 provides an explanation of the DPIA methodology within the ITFLOWS project. Part 3 describes the preliminary findings of the first iteration of the ITFLOWS DPIA process.

2.1. General DPIA requirements

Article 35 GDPR introduces an obligation to carry out a *Data Protection Impact Assessment* (DPIA). **A DPIA must be carried out by the controller, before starting the processing, in cases where a data processing operation is *likely to result in high-risk to the rights and freedoms of individuals*.** DPIAs are, therefore, not mandatory for all data processing operations as the obligation is tied to the

¹⁴ Discussions concerning the DPIA are addressed to project partners and not to the potential users of the EUMigraTool.

existence of a likely high risk of interference with a subject's rights and freedoms.¹⁵ However, **a controller must always conduct a preliminary assessment of the processing activities in order to identify whether the latter are likely to result in a high risk and therefore need a DPIA.**¹⁶ The GDPR does not define when such high risks exist and hence requires a preliminary case-by-case assessment from the controller. The obligation laid down in the GDPR is thus coupled with that preliminary individual assessment of the controller. Data protection authorities in part provide black- and whitelists of processing scenarios that by default do or do not result in a DPIA obligation.¹⁷ In any case, as pointed out by Article 29 Working Party, controllers can find in the DPIA a useful tool that helps them complying with data protection law.¹⁸ When carrying out a DPIA, controllers can seek the advice of the Data Protection Advisor (DPA), where designated.¹⁹ The controller does not necessarily need to conduct the DPIA on its own but can also outsource the DPIA to third parties.²⁰ In the case of ITFLOWS the DPA has been originally appointed. The DPA was initially Mr. Djordje Djokic²¹; however, Mr. Djokic left the project in November 2020. The project, in particular thanks to the efforts of UAB, quickly found a replacement in the person of Dr. Jonathan Andrew.²² The DPA can monitor the performance of the DPIA.²³

The objective of a DPIA is to **assess the impact of the planned processing on the protection of personal data.**²⁴ We could consider the DPIA as an “accountability measure” and as a “warning system”.²⁵ The outcome of the assessment has an

¹⁵ For a more in-depth discussion regarding the concept of “high risk” in the GDPR, see Demetzou K., Data Protection Impact Assessment: A tool for accountability and the unclarified concept of ‘high risk’ in the General Data Protection Regulation, Computer Law & Security Review, V. 35(6), Nov. 2019

¹⁶ Kuner C., Bygrave L.A., Docksey C., The EU General Data Protection Regulation (GDPR): A Commentary, Oxford University Press, 2020, p. 671.

¹⁷ BeckOK DatenschutzR/Hansen, 34. Ed. 1.8.2020, DS-GVO Art. 35 Rn. 13.

¹⁸ Article 29 Working Party (2017), Guidelines on Data Protection Impact Assessment (DPIA) and determining whether processing is “likely to result in high risk” for the purposes of Regulation 2016/679, WP 248 rev.01, Brussels, 4 October 2017, p. 9.

¹⁹ Article 35 (2) GDPR; see also Recital 84 GDPR.

²⁰ BeckOK DatenschutzR/Hansen, 34. Ed. 1.8.2020, DS-GVO Art. 35 Rn. 11.

²¹ See page 94 Grant Agreement.

²² <https://www.geneva-academy.ch/the-academy/about-us/experts/detail/161-jonathan-andrew>

²³ Article 39 (1) (c) GDPR.

²⁴ Article 35 (1) GDPR.

²⁵ Kuner C., Bygrave L.A., Docksey C., The EU General Data Protection Regulation (GDPR): A Commentary, Oxford University Press, 2020, p. 669.

important and effective role in assessing and determining the “appropriate measures” to be carried out in order to demonstrate compliance with all data protection principles and obligations.²⁶ Through the DPIA, **risks and potential negative consequences of processing operations to data subjects can be identified at an early stage; consequently mitigation measures to address these risks can be proposed and evaluated in order to significantly limit the probability of negative outcomes.** This identification and evaluation exercise supports compliance with the **data protection by design and default principle** (article 25 GDPR).²⁷

Pursuant to article 35 (3) GDPR, there are several cases where a DPIA would be required.²⁸ One of the mentioned cases is when special categories of data, e.g. information on racial or ethnic origin, political opinions, religious or philosophical beliefs, are being processed on a large scale.²⁹ Recital 75 GDPR mentions cases where personal aspects are evaluated in order to create or use personal profiles, e.g. when aspects concerning personal preferences, behaviour, location, movement are analysed or predicted; it also mentions cases where personal data of vulnerable natural persons are processed. Cases mentioned here are particularly relevant for the ITFLOWS project: research activities involve vulnerable groups (e.g. asylum seekers); sensitive data could be collected e.g. during the interviews with migrants and asylum seekers planned in Greece, Italy, and Spain; regarding cases where personal aspects are evaluated in order to create or use personal profiles, it has been stated in the Grant Agreement, that ITFLOWS will not seek to create profiles of particular identifiable individuals.³⁰

The assessment should contain at least a) **a systematic description of the data**

²⁶ See Recital 84 GDPR.

²⁷ Article 25 (1) GDPR states that: “Taking into account the state of the art, the cost of implementation and the nature, scope, context and purposes of processing as well as the risks of varying likelihood and severity for rights and freedoms of natural persons posed by the processing, the controller shall, both at the time of the determination of the means for processing and at the time of the processing itself, implement appropriate technical and organisational measures, such as pseudonymisation, which are designed to implement data-protection principles, such as data minimisation, in an effective manner and to integrate the necessary safeguards into the processing in order to meet the requirements of this Regulation and protect the rights of data subjects”, emphasis added.

²⁸ The list of the cases provided, however, is not exhaustive.

²⁹ Article 35 (3) (b) GDPR.

³⁰ Page 110, Grant Agreement.

processing and the purposes of the processing and where applicable – the legitimate interests of the controller; b) **an assessment of the necessity and proportionality of the data processing on the basis of the specified purpose**; c) **an assessment of the risks to the data subjects rights and freedoms** (e.g. likelihood and severity)³¹ d) **measures proposed to address these risks**, including safeguards, security measures, mechanisms to ensure personal data protection and to demonstrate compliance with the Regulation.³²

There is no specific DPIA template, although there are some valuable suggested formats controllers may use (e.g., ICO³³, ULD³⁴, CNIL³⁵). Controllers may also develop their own templates. The DPIA must be seen as a process where data processing operations, risks and measures put in place are well-thought, managed and reviewed on an ongoing basis.

Failure to comply with obligations related to DPIA can result in administrative fines up to 10 000 000 EUR, or in the case of an undertaking, up to 2% of the total worldwide annual turnover of the preceding financial year, whichever is higher.³⁶

2.2. DPIA considerations for ITFLOWS

The DPIA process in ITFLOWS hinges on two important pillars:

1) Specific DPIAs concerning controllers specific processing operations carried out by ITFLOWS controllers with the guidance of FIZ-Karlsruhe and WP2 partners. As said above, the DPIA is a responsibility of the data controller which has to carry out an impact assessment of the specific data processing operations it aims

³¹ According to Recital 76 GDPR, “The likelihood and severity of the risk to the rights and freedoms of the data subject should be determined by reference to the nature, scope, context and purposes of the processing. Risk should be evaluated on the basis of an objective assessment by which it is established whether data processing operations involve a risk or a high risk”.

³² Article 35 (7) GDPR.

³³ ICO, Information Commissioner's Office, “What is a DPIA?”, available at <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/data-protection-impact-assessments-dpias/what-is-a-dpia/>

³⁴ Conference of the Independent Data Protection Supervisory Authorities of the Federation and the Länder (ULD);

³⁵ Commission Nationale de l'Informatique et des Libertés (CNIL)

³⁶ Article 83 (4) (a) GDPR.

to perform, before such operations actually take place.³⁷ Controllers in ITFLOWS are primarily asked to conduct a preliminary assessment of the processing activities planned in order to identify whether the latter are likely to result in a high risk and therefore need a DPIA. Such preliminary assessment needs to be shared and discussed with WP2 partners, in particular with FIZ-Karlsruhe (IGR-team). The assessment is an important exercise for ITFLOWS controllers/partners as they need to think carefully about privacy and data protection issues. However, they are not left alone in this effort. FIZ-Karlsruhe will stimulate, guide and assist ITFLOWS controllers/partners in their preliminary assessment and DPIA efforts (it will be explained later how);

2) Overarching ITFLOWS DPIA concerning all the processing activities planned in the project carried out by FIZ-Karlsruhe (in collaboration with the other WP2 partners) with the help of controllers and technical partners. For all the duration of the project, FIZ-Karlsruhe will outline, record and keep track of the broad picture in terms of data processing activities in ITFLOWS and it will consequently pursue a DPIA for all the processing activities planned in the ITFLOWS project. The specific DPIAs feedback provided by controllers and technical partners are necessary for conducting the overall assessment.

Both pillars of the DPIA process within ITFLOWS require a joint-implementation effort. Collaboration is paramount to achieve the safest environment for data subjects and strengthen awareness of privacy and data protection issues in technical settings

³⁷ Under the GDPR, a data ‘controller’ is defined as “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”, Article 4 (7) GDPR. See D2.1, the section on data protection.

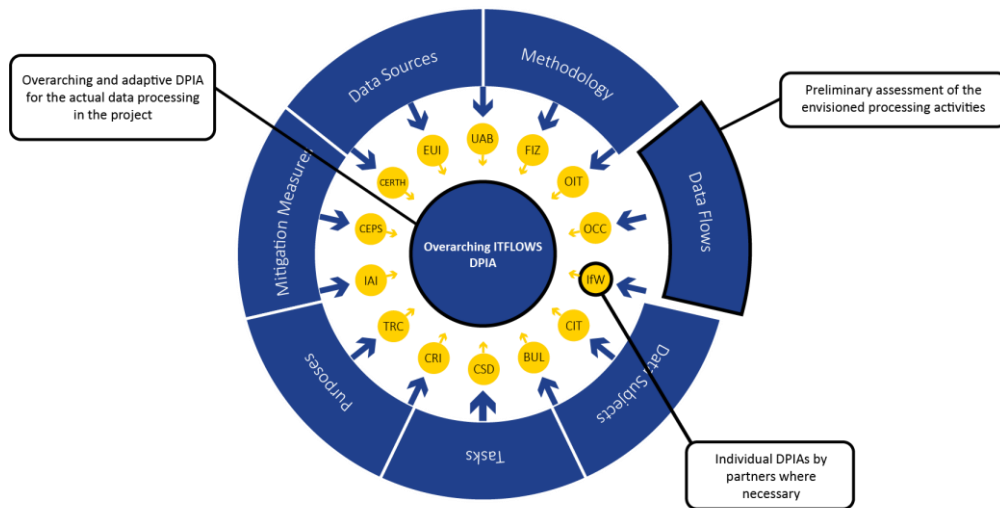


Figure 1. Simplified DPIA Process in ITFLOWS

As the project has recently started the DPIA process within ITFLOWS is in its initial phase. Currently, there are two main issues which we highlight here. First of all, as stated in D2.1, the clear identification of which partners could be the “controllers” or the “processors” for certain data processing operations has not yet taken place in ITFLOWS as we are at a very early stage of the project. This process is, however, usually a bottom-up rather than a top-down approach. For example, in the context of interviews, UAB was involved in the initial planning and controlled the procedure. However, over the first month it was decided that *personal* data will be only handled by NGOs and will not leave their premises. The interview information from NGOs leaves the premises only in anonymised form to be reusable for further research by the rest of the consortium, namely UAB and IAI. The NGOs hence may become controllers under the GDPR due to their factual control over the interview data and the handling of personal data – this would hence result in a single or joint-controller situation, rather than a controller-processor situation. Regarding the informed consent forms the respective NGOs will be single controllers. No other partners will have no access to the informed consent forms.

The process of identification is of high importance due to the varieties of players involved in the research activities of the project and in the development of the EUMigraTool. It will, however, be subject to continuous change and it should hence be continuously reviewed. Secondly, research activities and technical developments are still at their initial phase, so there is no precise and systematic description of

data processing activities and related purposes at this stage. Additionally, software development is likely to be agile, in particular to meet the (changing) needs of the Users Board (WP7), resulting in the need for continuous iterative review of the processing in ITFLOWS.

For these reasons, thorough DPIAs cannot be carried out at this moment. As pointed out above, DPIAs should be seen as living and flexible concepts. Documents to document findings are subject to continuous development, regular review, and re-assessment during the project. For the purpose of the DPIA process within ITFLOWS, FIZ-Karlsruhe developed a methodology that will be applied throughout the duration of the project (T2.2). The methodology, which is agile as the technical developments in ITFLOWS, is explained in the section below.

2.2.1 DPIA Methodology

The ITFLOWS DPIA approach is derived from widely accepted methodologies³⁸ and is specifically adapted to the requirements of the ITFLOWS Project.

In the first crucial step, FIZ Karlsruhe/WP2 identifies potential data processing conditions in the project. As pointed out above, the intended processing (e.g. data flows between WPs/partners) is not yet fully defined and can currently not provide clear insights on processing operations that the DPIA could rely on. At the same time, information flows towards legal and ethical work packages are often limited either by a lack of understanding on the legal/ethical side, a lack of understanding on the technical side or poor implementation of the work package in general. To overcome such limitations, FIZ Karlsruhe pursues a multi-step approach.

1) Information Gathering. The informational starting point will be the Grant Agreement (GA) of the project and the data processing scenarios envisioned therein.

2) Information Enrichment. Since the GA only provides a top-level overview of the

³⁸ e.g. Article 29 Working Party, Guidelines on Data Protection Impact Assessment (DPIA) and determining whether processing is “likely to result in a high risk” for the purposes of Regulation 2016/679, WP 248 rev.01, Brussels, 4 October 2017, available at http://ec.europa.eu/newsroom/document.cfm?doc_id=47711; see also The Standard Data Protection Model: A method for Data Protection advising and controlling on the basis of uniform protection goals, adopted by the 99. Conference of the Independent Data Protection Supervisory Authorities of the Federation and the Länder, April 17, 2020, available at https://www.datenschutzzentrum.de/uploads/sdm/SDM-Methodology_V2.0b.pdf.

envisioned processing and a comprehensive DPIA requires an in-depth analysis of the data processing that actually takes place in the project, the initial information collection needs to be enriched with additional insights from the practical side of the project. This enrichment process is based on a) *participation in technical meetings*, b) *bilateral communication with technical partners*, c) *oversight of the ITFLOWS central data repository*, d) *inclusion of external information sources*. From a timely perspective, the enrichment process necessarily runs in parallel to developments that take place on the technical side of the project.

a) Participation in technical meetings: To ensure additional information is identified and included timely, FIZ Karlsruhe aims to participate in technical meetings in WP3, 4, 5, 6. From an organisational perspective, this approach requires sufficient project-internal communication to ensure WP2 members are informed of such meetings to a) either be able to participate or b) at least be able to access the meeting minutes of the respective meetings in a timely manner. In a first step, the ITFLOWS Consortium decided to use the collaborative software Microsoft Teams (hereinafter: MSTeams) for internal communication. Given the complexity of the project, FIZ suggested that the project coordinators integrate additional measures to ensure information flows in the project. To this end it was agreed that the coordinator urges all WP and task leaders to invite the WP2 team members to their regular and irregular calls and meetings.³⁹ In addition, the information enrichment process is further underpinned by bi-weekly WP2 meetings that ensure better internal communication.

b) Bilateral communication with technical partners: Besides participation in meetings and the introduction of internal communication channels that support the DPIA process and provide contextual information on the data processing in the project, FIZ further reaches out to the technical partners individually to get detailed information on the individual processing for each partner. To ensure efficiency of this process and lower the required effort of the involved technical partners, FIZ developed a questionnaire-table (see Annex 2) that is shared with all technical partners to get additional detailed

³⁹ c.f. WP2 Meeting on 3rd December 2020, Meeting Minutes, available on MSTeams.

information from them and support them in their preliminary assessment exercise (see section 1).⁴⁰

- c) Oversight of the ITFLOWS central data repository:** WP2 members will have access to the ITFLOWS centralised data repository⁴¹ that is planned to act as a connecting data-hub for all technical partners. The legal team will thereby be enabled to review the underlying datasets directly without the need for an intermediary. Since the processing procedures will develop over the course of the project, the DPIA needs to be an ongoing process. All steps are hence conducted in an iterative manner to ensure the agility of software development is sufficiently reflected in the DPIA analysis. At the same time this approach also provides the foundation for continuous guidance of the technical partners in the project to ensure privacy-preserving processing approaches.
- d) Inclusion of external information sources:** In addition to the above-mentioned approaches, FIZ conducts additional research on technical approaches to ensure sufficient understanding of the processing approaches on the technical side (e.g. the combination of agent-based modelling and machine learning approaches in the EUMigraTool (EMT))

3) Evaluation. Following the initial collection and enrichment of information on the data, the core of the DPIA is the legal and technical analysis of the processing conducted in the project.

- a) Legal Analysis:** Based on the gathered information, the legal impact of the data processing in the respective tasks needs to be evaluated in the light of risks to the fundamental rights and freedoms of the data subjects. The legal analysis is based on the current European data protection framework as well

⁴⁰ The questionnaire-table was shared on Microsoft Teams and sent to all the partners via email on the 07.12.2020.

⁴¹ Available at <http://emt.itflows.eu:5000>. All data that is made available (internally or externally) should contain sufficient metadata to provide users with some guidance how data is allowed to be used, where it is from (i.e., provenance), how it should be handled, among others. It is in the responsibility of technical partners to provide as much metadata as possible. The possibility to link such information is a standard feature of CKAN. By default, the following metadata can be included: title; unique identifier; groups; description; data preview; revision history; extra fields; license; tags; multiple formats; and, API key.

as scholarly discussions and will take into consideration international case law where feasible.

b) **Technical Analysis:** In conjunction with the legal analysis, the evaluation includes analysis of the technical approaches to be able to provide suggestions on technical and organisational measures to mitigate the risks to fundamental rights and freedoms of data subjects.

4) **Sharing.** Findings from the evaluation phase will be shared with partners and will be shared with partners in form of Guidance, Mitigation Measures, or research findings to provide a basis for privacy-preserving development of software.



Figure 2. DPIA methodology

In addition to the explanation of the DPIA methodology within this report, the following sections describe the initial findings of the first iteration of this cyclic DPIA process and the initial findings are included in this report.

2.3 Preliminary DPIA analysis for ITFLOWS

2.3.1 Initial Identification/Description of Processing Scenarios

A preliminary identification and description of processing scenarios envisioned in the project and found in the Grant Agreement is provided in a table (see Table below), which is organised by tasks and gathers, additionally, information regarding processing sources and purposes. As stated before, the Grant Agreement does only

provide a top-level view of the intended processing and interaction between different components and lacks specificity regarding the concrete approaches. This initial information source is hence enriched with information from other sources, such as information from comparable projects.⁴² The inclusion of such external sources enables the legal researchers in the project a head-start in comparison to the unavoidable downstream information flow in the project itself. It thereby supports the understanding of general underlying concepts in the area of migration flow analysis for legal researchers but also helps to create a solid, example driven and hence more understandable starting point for developers. The approach thereby enables early-on consideration of challenges on the legal as well as on the technical side and fosters the privacy-by-design concept/principle in ITFLOWS. Furthermore, as mentioned before, FIZ developed a questionnaire-table (see Annex I) which has been shared with all technical partners to gain detailed information regarding processing scenarios. The information obtained by partners will be integrated in Table I; the latter will be shared on Microsoft Team, and it will be kept updated.

2.3.2 Initial Source Assessment

As stated above, the data processing in ITFLOWS is subject to continuous changes (i.e. agile development) and requires collateral legal examination and revision. Many of the envisioned processing approaches are not sufficiently clear at this point and can hence only be subject to a *general evaluation*. To do so, FIZ uses the available sources, namely the Grant Agreement and the information available on the collaborative project platform (MS Teams) for a first review of the processing. The planned data sources are based on the information provided by partners in a collaborative excel-spreadsheet. In a first step, FIZ reviews all sources regarding their inherent risks. These risks are primarily dependent on the existence of personal data within the datasets. The datasets are then color-coded (green, orange, red), from low risk to high-risk probability, to ensure straight-forward identification of high-risk datasets that need specific consideration throughout the project.

⁴² Carammia M., Iacus S., Wilkin T., Forecasting asylum-related migration flows with machine learning and data at scale, arXiv:2011.04348, November 2020, available at <https://arxiv.org/ftp/arxiv/papers/2011/2011.04348.pdf>. The document was brought into play during discussions with members of WP6.

- Sources marked in green indicate that the available datasets do not contain personal data and initial research on/with these datasets bear a lower risk to natural persons; therefore, initial research can be conducted. (Green = low risk) This evaluation does, by default, not include further processing (e.g. connection of datasets with personal and non-personal data).
- Sources marked in orange indicate that the available datasets partly potentially contain personal data and hence bear a higher risk to natural persons in comparison with sources marked in green. Processing of data from such sources should hence be subject to additional evaluation and review. (Orange = medium risk)
- Sources marked in red indicate that the datasets contain personal data and processing may pose a high risk to the rights and freedom of individuals; therefore, stricter evaluation and monitoring of the processing activities are needed. (Red = high risk)

2.3.3 Initial Identification/Description of purposes of the processing

The initial identification of purposes is based on a *multi-tracked approach* and is conducted for each partner *individually*. To do so, all partners are asked to provide information on the processing purposes conducted under their control. To ensure the information is comprehensive and remains manageable, FIZ developed a specific table-questionnaire (c.f. *Annex I*) that enables partners to oversee and provide the required information for the ITFLOWS DPIA. After initial responses from the partners, the table will be available on the project's collaborative platform (MS Teams) and partners will be asked to regularly review and update the information to reflect continuous changes and developments in the data processing of the project. The totality of feedback received through this channel enables the legal partners to review each individual purpose in the light of GDPR requirements. At the same time, the totality of gathered information gives a first impression on the compatibility of purposes and (joint-)controllership constellations.

A table providing an initial source assessment, a preliminary description of processing scenarios and purposes, is provided below. Technical partners are encouraged to have a look at the table and provide feedback.

WP3 - Drivers of EU-bound irregular mixed migration in countries of origin and transit (Lead: IAI)

Task	Processing Description	Processing Purpose	Sources
<p>3.2</p>	<p><i>Task 3.2 will use approaches similar to Backhaus⁴³ to analyse relevant conditions in transit countries such as infrastructure quality, conflicts, climatic conditions and governance indicators.⁴⁴ The findings will then be incorporated into an (existing?) dataset on bilateral migration flows.</i></p> <p><i>In a second analysis, the time sequence of migration to neighbouring and transit countries will be examined. The analysis will combine data from the IOM Displacement Tracking Matrix (DTM)⁴⁵ with high-frequency information on conflict and climatic shocks in origin countries.</i></p> <p><i>Data from the different sources will be merged by country and year. Few processing will be needed for most data, mostly re-aggregation of information by date when working on event-based</i></p>	<p>The processing of these sources aims to provide insight in the relevant conditions in transit countries.</p>	<p>ACLED</p> <p>Conflict Events</p> <p>https://acleddata.com/#/dashboard</p> <p>IOM Displacement</p> <p>Migration-IDPs/Returnee-IDPs</p> <p>https://displacement.iom.int/</p> <p>IMF</p> <p>Economic Indicators</p>

⁴³ Backhaus A., Martinez-Zarzoso I., Muris C., Do climate variations explain bilateral migration? A gravity model analysis, *IZA J Migration* 4, 3 (2015), available at <https://doi.org/10.1186/s40176-014-0026-3>.

⁴⁴ c.f. p. 100, ITFLOWS GA.

⁴⁵ <https://displacement.iom.int/>.

	<p><i>information (e.g. climate disasters)⁴⁶</i></p> <p>Partners: CEPS (leading partner) UAB</p>		<p>https://data.imf.org/?sk=4FFB52B2-3653-409A-B471-D47B46D904B5</p> <p>EMDAT</p> <p>Climate/Disaster data</p> <p>https://www.emdat.be/</p> <p>WDI</p> <p>Background/Institutional Data</p> <p>https://databank.worldbank.org/source/world-development-indicators</p> <p>WB Governance Indicators</p> <p>Background/Institutional Data</p>
--	--	--	--

⁴⁶ CEPS, DPIA Questionnaire

			<p>https://info.worldbank.org/governance/wgi/</p> <p>FRONTEX</p> <p>Migration- irregular crossing</p> <p>https://frontex.europa.eu/along-eu-borders/migratory-map/</p> <p>UNHCR (Operational Portal)</p> <p>Migration - Refugees + Asylum Seekers</p> <p>https://data2.unhcr.org/en/situations</p> <p>EASO Country of Origin Portal (unclear)</p> <p>various</p> <p>https://www.easo.europa.eu/analysis-and-statistics</p>
--	--	--	---

			<p>iDMC</p> <p>Migration-IDPs by reason (conflict vs disaster)</p> <p>https://www.internal-displacement.org/database</p>
3.3	<p><i>The research in Task 3.3 aims to identify and study information from Big Data sources that reflect prospective migrants' intentions. The analysis will include quantitative analysis based on records of google searches⁴⁷ in origin countries and text data from Twitter.</i></p> <p><i>The research conducted in this task comprises various sources to provide additional insights on migrants' intentions.</i></p> <p>Partners:</p>	<p>On the one side, the analysis of Google Trend Indicators is used to find connections between search behaviour and future migration flows. To this end, migration related phrases are identified on basis of semantic-link.com, the appearance of these terms is observed over time and tested against actual migration flows that are measured/provided by Eurostat etc. in an aggregated manner. The broader purpose of this approach is hence the examination of the accuracy and usefulness of the approach in the</p>	<p>EASO Country of Origin Portal (unclear)</p> <p>various</p> <p>https://www.easo.europa.eu/analysis-and-statistics</p> <p>Google Trends (GTI)</p> <p>Searched Keywords</p>

⁴⁷ c.f. Böhme et. al., Searching for a better life: Predicting international migration with online search keyword, available at <https://doi.org/10.1016/j.jdevec.2019.04.002>.

	<p>UAB (leading partner, GTI)) IfW (GTI) CIT (Twitter) FIZ (Twitter)</p>	<p>prediction of migration flows. To this end, IfW and UAB already identified an initial approach.⁴⁸</p> <p>The second purpose aims to identify correlations between the behaviour of users in social media (namely Twitter) and migration flows and vice versa. To achieve this, two main approaches are pursued. FIZ particularly focuses on entity detection in hashtags, while CIT is focusing on the content of tweets and the immanent emotions.</p>	<p>https://trends.google.com/trends/?geo=US</p> <p>IMF</p> <p>Economic Indicators</p> <p>https://trends.google.com/trends/?geo=US</p> <p>Eurostat</p> <p>Migration Statistics (Applications by citizenship, age, sex)</p> <p>https://appsso.eurostat.ec.europa.eu/nu/i/show.do?dataset=migr_asyappctzm&lang=en</p> <p>Eurostat</p> <p>Longtime Unemployment Stats</p>
--	---	---	--

⁴⁸ Ibid.

			<p>https://appsso.eurostat.ec.europa.eu/nu/i/show.do?dataset=une_ltu_q&lang=de</p> <p>ACLED</p> <p>Conflict events</p> <p>https://acleddata.com/#/dashboard</p> <p>EMDAT</p> <p>Climate/Disaster data</p> <p>https://www.emdat.be/</p> <p>WDI</p> <p>Background/Institutional Data</p>
--	--	--	---

			<p>https://databank.worldbank.org/source/world-development-indicators</p> <p>WB Governance indicators</p> <p>Background/Institutional Data</p> <p>https://info.worldbank.org/governance/wgi/</p> <p>Twitter data</p> <p>Twitter API</p> <p>https://api.twitter.com</p>
T3.4	<i>Interviews with adult asylum seekers/migrants in the countries of origin. The task is intended to complement the macro-level analysis of migration drivers that is conducted in the project (e.g. T4.1;</i>	The interviews that will be conducted as part of T3.4 are used to assess specific drivers of migration to complement the research and processing of	<p>Interview Data</p> <p>Interviews with adult seekers/migrants</p>

	<p><i>T4.2; T3.3, T3.2). According to the GA 30 interviews will be conducted per country (Greece, Italy, Spain). The Interviews will be conducted between M7-11 of the project and transcribed by M12.</i></p> <p><i>The interview data will be used to validate the assumptions on migration destination and complement the Twitter data (T3.3, see above) and analysed for a research paper (D3.7, Prototypical implementation of methods to extract frequent patterns from tweets representing migration drivers.)</i></p> <p><i>The connection methodology of this data with the macro-level analysis is not yet specified within the Grant Agreement.</i></p> <p>Partners: CRI (leading partner) OCC OIT IAI UAB</p>	<p>publicly available sources. Two main purposes can be identified. First, the interviews generate insight on migration drivers that can be used to validate and evaluate the findings from other research approaches (e.g. T3.3). In addition, the findings can provide a basis for further refinement and development of methods to foster the predictive capabilities of the EMT and the research in the project in general.</p>	<p>Primary data. This data is directly collected from the respective interviewees.</p>
<p>WP4 - Location and drivers of integration of migrants across EU Member States (Lead: IfW)</p>			
<p>Task</p>	<p>Processing Description</p>	<p>Processing Purpose</p>	<p>Sources</p>

<p>4.1</p>	<p><i>This task will use German panel data to create estimations of expected numbers of arrivals to be used for family reunification programs. In addition, data sources for information on the secondary movement of refugees within the EU will be analysed to gain insights on propensities to move further within the EU.</i></p> <p>Partners: CEPS (leading partner) IfW</p>	<p>The purpose of the data processing is to study the demographic impact of family reunification in the context of migration. To this end, German panel data will be combined with DHS data.</p>	<p>Socio-Economic Panel (SOEP)</p> <p>Longitudinal study on households. In ITFLOWS specifically immigrant samples.</p> <p>https://www.diw.de/en/soep</p> <p>Demographic & Health Survey (DHS)</p> <p>Demographic and Health Surveys (DHS) are nationally-representative household survey.</p> <p>Not specified.</p>
<p>4.2</p>	<p><i>Overview of the economic and social situation in relevant EU member states. Identification of live data from APIs that could be integrated into the EUMigraTool. This task will result in compiled data and a manual on how to access/use it that is intended to help standardising data sources across work packages.</i></p> <p>Partners: IfW (leading partner) UAB</p>	<p>The data is processed to provide an overview of the social and economic situation in EU member states. It is assessed how this data can be used in research and the EMT. The purpose is to learn about drivers and the extent of secondary movements of the asylum seeker and the EU.</p>	<p>Eurostat</p> <p>Longtime-Unemployment</p> <p>https://appsso.eurostat.ec.europa.eu/nu/i/show.do?dataset=migr_asyappctzm&lang=en</p> <p>Eurostat</p> <p>Gini-Coefficient of the available equivalent income</p>

			<p>https://ec.europa.eu/eurostat/tgm/table.do?tab=table&init=1&language=de&pcode=tessi190&plugin=1</p> <p>Eurostat</p> <p>Minimum wage; Marriage Rate</p> <p>https://ec.europa.eu/eurostat/tgm/table.do?tab=table&init=1&language=de&pcode=tps00155&plugin=1</p> <p>Eurostat</p> <p>Age of inhabitants</p> <p>https://ec.europa.eu/eurostat/tgm/table.do?tab=table&init=1&language=de&pcode=tps00010&plugin=1</p> <p>Eurostat</p> <p>Unemployment rates at destination</p> <p>https://appsso.eurostat.ec.europa.eu/nu</p>
--	--	--	--

			i/show.do?dataset=une_rt_m&lang=de
4.3	<p><i>In this task the partners will analyse asylum procedures and integration policies and how they are enforced. The task will include quantitative and qualitative analysis.</i></p> <p><i>Partners aim to process:</i></p> <p><i>a) public secondary data from public and private institutions. Hard and soft law, reports, static data provided by Member states (National Statistical Institutes) or by the European Union (Eurostat) will be mainly used. Reports from EASO (European Asylum Support Office) will be also analysed.⁴⁹ Furthermore, also data from the NIEM⁵⁰ and MIPEX Project will be used. (to be clarified)</i></p> <p><i>b) primary data obtained from the NGOs, which are part of the Users' Board of the Project, through focus group and</i></p>	<p>mailto:</p> <p>The data is processed in order to obtain information regarding the current situation of migrant integration policies and integration outcomes</p>	<p>NIEM</p> <p>Project Data</p> <p>No info yet</p> <hr/> <p>Eurostat</p> <p>Statistics and data on Europe</p> <p>Not specified</p> <hr/> <p>EASO (European Asylum Support Office)</p> <p>Reports</p> <p>https://www.easo.europa.eu/analysis-</p>

⁴⁹ UAB, DPIA Questionnaire.

⁵⁰ The *National Integration Evaluation Mechanism* (NIEM) is a six-years long transnational project supporting key actors in the integration field to improve the integration outcomes of beneficiaries of international protection. Conflict situations tend to last longer and, on average, it currently takes seventeen years before

	<p><i>qualitative online survey. The aim is to analyse the perception of NGOs of the current situation of migrant integration policies and integration outcomes.⁵¹</i></p> <p>Partners: UAB (leading partner) CEPS</p>		<p>and-statistics</p> <p>AIDA</p> <p>Migration – IDPs, Refugees, Asylum seekers; Mapping asylum procedures, reception conditions, detention and content of protection in Europe</p> <p>https://asylumineurope.org/</p> <p>Focus group and online-survey data</p> <p>Primary data. This data is directly collected from the NGOs (part of the Users' Board of the Project)</p> <p>MIPEX</p>
--	--	--	---

refugees fleeing civil wars may eventually have a chance to return to their home country. Hence, the long-term integration of newly arrived beneficiaries of international protection is without alternative and presents an immediate challenge for European societies.

⁵¹ UAB, DPIA Questionnaire.

			<div style="background-color: #f4a460; padding: 2px;">Project data</div> <div style="background-color: #f4a460; padding: 2px;">No info yet</div>
WP5 - Public attitudes of EU citizens towards migration (Lead: EUI)			
Task	Processing Description	Processing Purpose	Sources

<p>5.2</p>	<p><i>This task comprises statistical analysis (multilevel modelling) of micro- and macro-level factors that affect attitudes to immigrants/immigration policies. It will be conducted with individual survey data (e.g. European Social Survey, Eurobarometer, World Value Survey) that will be combined with aggregated data on countries (e.g. Eurostat, World Bank).</i></p> <p>Partners: EUI (leading partner) IfW</p>	<p>This task aims to foster the understanding of causes of variation in attitude towards migrants in Europe. Micro- and macro-level factors will be examined by combining and statistically analysing multiple aggregated data sources.</p>	<table border="1"> <tr> <td data-bbox="1438 202 2022 288"> <p>European Social Survey</p> </td> </tr> <tr> <td data-bbox="1438 288 2022 375"> <p>Attitudinal survey</p> </td> </tr> <tr> <td data-bbox="1438 375 2022 461"> <p>https://www.europeansocialsurvey.org/</p> </td> </tr> <tr> <td data-bbox="1438 512 2022 598"> <p>European Value Study</p> </td> </tr> <tr> <td data-bbox="1438 598 2022 684"> <p>Attitudinal survey</p> </td> </tr> <tr> <td data-bbox="1438 684 2022 770"> <p>https://europeanvaluesstudy.eu/</p> </td> </tr> <tr> <td data-bbox="1438 821 2022 908"> <p>Eurobarometer</p> </td> </tr> <tr> <td data-bbox="1438 908 2022 994"> <p>Attitudinal survey</p> </td> </tr> <tr> <td data-bbox="1438 994 2022 1147"> <p>https://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/Survey/index#p=1&instruments=STANDARD</p> </td> </tr> <tr> <td data-bbox="1438 1198 2022 1284"> <p>Eurostat</p> </td> </tr> <tr> <td data-bbox="1438 1284 2022 1358"> <p>GDP per capita (in Purchasing Power</p> </td> </tr> </table>	<p>European Social Survey</p>	<p>Attitudinal survey</p>	<p>https://www.europeansocialsurvey.org/</p>	<p>European Value Study</p>	<p>Attitudinal survey</p>	<p>https://europeanvaluesstudy.eu/</p>	<p>Eurobarometer</p>	<p>Attitudinal survey</p>	<p>https://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/Survey/index#p=1&instruments=STANDARD</p>	<p>Eurostat</p>	<p>GDP per capita (in Purchasing Power</p>
<p>European Social Survey</p>														
<p>Attitudinal survey</p>														
<p>https://www.europeansocialsurvey.org/</p>														
<p>European Value Study</p>														
<p>Attitudinal survey</p>														
<p>https://europeanvaluesstudy.eu/</p>														
<p>Eurobarometer</p>														
<p>Attitudinal survey</p>														
<p>https://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/Survey/index#p=1&instruments=STANDARD</p>														
<p>Eurostat</p>														
<p>GDP per capita (in Purchasing Power</p>														

			<p>Parities - PPP), real GDP growth, harmonised unemployment rate</p> <p>https://ec.europa.eu/eurostat/data/database</p> <p>OECD</p> <p>Migration statistics - database of immigrants in OECD countries</p> <p>https://stats.oecd.org/Index.aspx?DataSetCode=MIG</p>
<p>5.3</p>	<p><i>The task encompasses an analysis of social media environments in EU Member States to complement other data sources in the rest of the work package. The task will analyse tweets based on hashtags related to migration using Hate Speech Detection.</i></p> <p>Partners:</p>	<p>This task aims to examine and foster understanding of public sentiment based on the analysis of social media data. Eventually, this task plans to provide “georeferenced opinions of the masses” including a top-level distinction between hate-speech and non-hate speech but also further refinement based on subclasses such as aggressiveness, offensiveness, stereotypes or</p>	<p>Twitter data</p> <p>Tweets</p>

	FIZ (leading partner) IfW CIT	racism.	
--	-------------------------------------	---------	--

WP6 - Infrastructure – Models and EMT (Lead: CERTH)			
Task	Processing Description	Processing Purpose	Sources
6.2	<p>Design of the EMT simulation component</p> <p><i>Task 6.2 will integrate existing solutions such as the “Flee agent-based modelling code” and “FabSim3” automation toolkit.⁵² The task will also identify “a range” of data sources which will be used as inputs for the simulations or as validation targets.</i></p> <p>Partners: BUL (leading partner) CERTH</p>	<p>This task aims to develop the simulation component of the tool. To this end, it is not fully clear how data sources are going to be used. The questionnaire received from CERTH on 2020-12-18 covers the WP in general, rather than task-related (c.f. Annex I).</p> <p>Further clarification is needed.</p>	<p>News Outlets/Videos</p> <p>News feeds and Videos from e.g. CNN/BBC</p> <p>-</p> <p>IPC food security</p> <p>Food security data</p> <p>http://www.ipcinfo.org/</p> <p>CityPopulation</p>

⁵² Both from the HiDALGO Center of Excellence project.

			<p>Population data</p> <p>https://www.citypopulation.de/</p>
6.3	<p>High level simulation of irregular migration across countries towards the EU</p> <p><i>Development of a simulation that forecasts the migration movements across countries towards the EU on a high-level scale.</i></p> <p>Partners: CERTH (leading partner) BUL</p>	<p>This task aims to provide a data-driven simulation based on various data sources to give quick insights on migration flows. A more-fine grained purpose is not yet clearly specified.</p>	<p>Geospatial Data</p> <p>e.g. OpenStreetMap</p> <p>https://www.openstreetmap.org/#map=7/51.330/10.453</p> <p>Settlement population counts</p> <p>Various sources/not defined</p> <p>Not defined</p> <p>Refugee registration counts</p> <p>Not defined</p> <p>Not defined</p>

			<div data-bbox="1442 209 2033 292" style="background-color: #92d050; padding: 2px;">Public Reports</div> <div data-bbox="1442 292 2033 375" style="background-color: #92d050; padding: 2px;">Information on Conflicts</div> <div data-bbox="1442 375 2033 458" style="background-color: #92d050; padding: 2px;">https://acleddata.com/#/dashboard</div> <div data-bbox="1442 517 2033 600" style="background-color: #92d050; padding: 2px;">ACLED</div> <div data-bbox="1442 600 2033 683" style="background-color: #92d050; padding: 2px;">Information on Conflicts</div> <div data-bbox="1442 683 2033 766" style="background-color: #92d050; padding: 2px;">https://acleddata.com/#/dashboard</div>
<p>6.4</p>	<p>Detailed simulation of local population displacement</p> <p><i>This task will result in a model for individual situations that affect a particular country and where people seek to escape abroad. This approach pursues to simulate migration behaviour in case of conflicts and/or environmental disasters, where population displacement is sudden and unlikely to be reflected in high-level models (c.f. Task 6.3)</i></p>	<p>Similar to T6.3 this tasks purpose is to provide insights on individual situations. BUL data is stored on Github and on iCloud.</p>	<p>See above, to a large extent data has already been collected.</p>

	<p>Partners: BUL</p>		
6.5	<p>Visualisation, infrastructure integration and deployment</p> <p><i>This task encompasses the actual integration of the approaches developed in WP6 for use in the EMT in a production ready environment. The visualisation will be realised on a web-based interface that allows integration with available data sources and a software backend to integrate prediction and simulation models.</i></p> <p>Partners: CERTH (leading partner) BUL CIT TRC</p>	<p>This task aims to integrate the approaches developed in WP6 for the use of the EMT.</p>	

Table 6. Preliminary identification of processing description, purposes and sources

2.3.4 Initial Assessment of the necessity and proportionality of the processing

A key requirement in the DPIA is the assessment of the necessity and proportionality of the processing operation *in relation* to the purposes (Art. 35 (7) (b) GDPR). The two key ingredients for the analysis of the necessity and proportionality are hence the initially identified purposes, as laid down in Section 3.3, and the processing operations planned for achieving that identified purposes. The identification of both (purposes and processing operations) builds the foundation for the assessment of the necessity and proportionality of the data processing in ITFLOWS. As explained before, the initial identification process is planned to be achieved through the specific table-questionnaire (c.f. *Annex I*) FIZ sent to partners in order to collect information necessary for the ITFLOWS DPIA.

Based on collected information regarding purposes and the gathered information on the processing it needs to be assessed, in a joint-effort involving controllers⁵³/technical partners and WP2 partners, whether the concrete processing approaches that are envisioned in the respective work packages and tasks are necessary and proportional in relation to the purpose. It has to be considered, for example, whether the processing approaches planned help to achieve the identified purposes and investigate whether there exists another, more reasonable way, to achieve the intended results. For example, in this regard we have already started discussions with FIZ-ISE⁵⁴ concerning the necessity of processing Twitter IDs (through Twitters search API and streaming API) for the umbrella-purpose of hate speech detection and concerning methodologies selected and the number of tweets that need to be processed (e.g. is the amount of Tweets required proportionate, namely is it possible to achieve the intended purpose with less data?). In this context, an accompanying goal of the research conducted in the project is also the evaluation of the data protection compliance in the project. Technical partners hence have to research and review the processing methodology in the project not only for accuracy and usability but also check if the methodology can be used with less data, i.e. in a more privacy-friendly manner. This can, however, also mean that the initial processing steps may require more data than necessary. If

⁵³ Within the meaning of Art. 4 (7) GDPR

⁵⁴ First meeting was held on 17.12.2020.

this is the case, the underlying dataset should be updated accordingly, and findings should further be shared with other partners where necessary.

It is important to investigate how partners aim to ensure data protection compliance (e.g., how they intend to ensure data minimisation, data quality, how they intend to support data subjects' rights, etc.).⁵⁵ Such a process of evaluation, however, first needs clarity about processing activities envisioned and purposes and clarity needs to come from technical partners (e.g. through specific DPIAs).

2.3.5 Initial Assessment of risks and mitigation measures envisaged to address the risks

Following the identification and assessment of risks (i.e. analysis of the severity of impact and likelihood of harm), mitigation measures have to be implemented where necessary. The design and integration mechanisms for such measures necessarily depend on the concrete scenario of processing and hence need a collaborative case-by-case approach. Partners need to consider any harm or damage, whether physical, material or psychological, that their data processing may cause data subjects. Could the processing contribute to e.g.: inability to exercise rights, discrimination, reputational damage, identity theft, physical harm, economic and social disadvantage, re-identification of pseudonymised data, etc. An assessment of the security risks related to the processing should be also made. In line with best practices (e.g. as laid down by the Information Commissioners Office (ICO)⁵⁶; the Independent Conference of the Independent Data Protection Supervisory Authorities of the Federation and the Länder (ULD)⁵⁷; Commission Nationale de l'Informatique et des Libertés (CNIL)⁵⁸) mitigation measures can take different forms and approaches. For example:

⁵⁵ Annex 2, Article 29 Working Party, Guidelines on Data Protection Impact Assessment (DPIA) and determining whether processing is “likely to result in a high risk” for the purposes of Regulation 2016/679, WP 248 rev.01, Brussels, 4 October 2017.

⁵⁶ See ICO, Information Commissioner's office, “How do we do a DPIA”, available at <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/data-protection-impact-assessments-dpias/how-do-we-do-a-dpia/#how9>.

⁵⁷ See ‘Standard Data Protection Model’ available at https://www.datenschutzzentrum.de/uploads/sdm/SDM-Methodology_V2.0b.pdf

⁵⁸ PIA Guidelines, Commission Nationale de l'Informatique et des Libertés. https://www.cnil.fr/sites/default/files/atoms/files/171019_fiche_risque_en_cmjnk.pdf.

Decision not to collect certain types of data

Example (Twitter Data)

In ITFLOWS this could mean that certain data-types have to be excluded from the initial data (e.g. Twitter account names) to lower the risk of (re-)identification due to connection with other datasets. On the technical side, this could mean that the GET request may have to avoid or include certain search queries (e.g. *:from*, *:to*, *:username*) to ensure the API-response only contains relevant information. To this end, the Twitter API v2 specifically allows users to set parameters to conduct targeted queries and receive specific responses.⁵⁹

Reducing the scope of processing

Example (Twitter data): Where necessary, the scope of processing has to be reduced. This could mean that smaller datasets have to be used, even if bigger datasets result in slightly higher quality of outcomes. This decision has to be made in relation to the pursued purposes and the overall context of the processing. From the technical perspective this could, for example, result in only using Tweet data where "*data.public_metrics.retweet_count*" is ≥ 50 , and otherwise exclude tweets from the processing. Of course, part of the research can also be to identify *if* the respective field is relevant to a specific research question - in this case the mitigation measure should be applied when it becomes clear that the respective data has no influence on the research question (e.g. it turns out during the research that only tweets with *public_metrics.retweet_count* ≥ 200 are relevant).

Reducing retention periods

Example (Twitter data): The data collected from the Twitter-API should only be stored as long as necessary for the specific purpose (see table above). In the context of

⁵⁹ <https://developer.twitter.com/en/docs/twitter-api/fields>

ITFLOWS research exemptions regarding the retention and reuse of research data may apply. This could also mean that, even if initial data is partly needed, irrelevant information should be scraped from the datasets. For Twitter data, this could mean that the controller has to overwrite certain fields in the collected JSON responses (e.g. the data.id field) after a certain amount of time.

Taking additional security measures

Example (EMT): Depending on the processed data, additional security measures might be necessary. With regard to the EUMigraTool this could mean that access to the tool itself has to be limited to certain actors (e.g. NGOs) and use by authorities has to be restricted with technical measures (e.g. user management to ensure only relevant/anonymised/low-risk data are available to certain actors). If data is managed in a central repository (e.g. CKAN) the connected databases as well as the connection to this data should be sufficiently secure. On the technical level, depending on the severity of the risk, this could result in the need for standard security measures such as TLS/SSL encryption; hashed password storage etc. It can, however, also mean that certain datasets (e.g. interview data) need to be stored in encrypted form (e.g. AES-256) and specific organisational measures for key-management. If there are risks to integrity of the data (e.g. change of migration data in the datasets for political interests) measures could reach from simple version control (c.f. Git) to blockchain-based data control to ensure immutability of the data.

Training Staff to ensure risks are anticipated and managed

Example (EMT): In addition to more technical measures, the human factor of data protection can play an important role in mitigating risks. In ITFLOWS this could mean that potential users (e.g. User Board) need to be fully informed about the advantages and shortcomings of the implemented approaches. Since the EMT will heavily rely on publicly available data sources, risks can have their origin in the data provenance as

well as in the applied data processing methodology. The user must hence be aware of this and be able to evaluate the validity and significance of the EMT findings prior to any decision making process. This can, for example, be achieved through training of users or technological guidelines/handbooks.

To ensure developers and researchers (e.g. in case of internal data exchange) can correctly use the data, variable-level annotation should be embedded within a data file itself, while comprehensive variable level documentation can also be created using a structured metadata format (e.g. XML).

Anonymising and pseudonymisation where possible

Example (Interviews/Twitter): ITFLOWS plans to conduct Interviews to validate the assumptions on migration destination intentions as to complement the twitter data (T3.3-T3.4). It is not yet specified how this validation takes place and further specification will be necessary over the course of the project. If these datasets are connected it should be ensured that they are sufficiently pseudonymised to ensure identification of individuals is not possible. While the risks have to be evaluated based on the aforementioned specification, both Twitter and interview data bear general risks to allow identification of natural persons. It hence may be necessary to use scrambling, masking or encryption techniques to undermine ensure sufficient protection of the affected data subjects.

Ensure accuracy from research activities and prevent (mis)-use of research outputs

Example (Interviews): As outlined in the box above, ITFLOWS plans to carry out interviews with adult migrants and asylum seekers in Greece, Italy, and Spain (Task 3.4). In this regard, all reasonable steps need to be taken in order to ensure that the source of data is not misleading, incorrect, incomplete; all the possible challenges to the correctness of information collected have to be carefully considered. The presence of

expert interviews and the participation of cultural mediators and translators during the interviews would be definitely be beneficial for data accuracy. Furthermore, the analysis of the data should be based on accepted and proven methodologies concerning semi-structured interviews. Participation in interviews is voluntary, therefore migrants and asylum seekers should not receive any pressure in participating in the study; a perception of obligation may result in a non-collaborative attitude or in the probability of false information sharing (due to e.g. fear of repercussions, shame). Partners need to obtain a freely given, specific, informed and unambiguous consent and need to provide transparent and informed consent forms.

Concerning the risk of misuse of interviews outputs (e.g. contributing to practices such as pushbacks) it is paramount that interviews are fully and properly anonymised (see box above). Any information that may compromise the security of a person/group or which may lead to stigmatisation or criminalisation needs to be excluded from the research output and cancelled from the transcripts.

Paying attention to the complexity of the privacy concept⁶⁰

Privacy has been interpreted in different jurisdictions in numerous ways, for example as the “right to be left alone”⁶¹ or as the recent “right to a form of informational self-determination”.⁶² Privacy International, which is one of the most important NGOs in Europe promoting the right to privacy in the world, notices that privacy enables us to create boundaries “to limit who has access to our bodies, places and things, as well as our communications and our information”.⁶³ The concept of privacy remains rather broad. It describes a multi-faceted and a right.⁶⁴ that is hard to grasp.⁶⁵ There is no

⁶⁰ This concept is further specified and made available

⁶¹ Warren and Brandeis, "The Right to Privacy", 4 *Harvard Law Review* 193, 1890.

⁶² See ECtHR, *Satakunnan Markkinapörssi Oy & Satamedia Oy v. Finland*, No. 931/13, 27 Ju 2017, pa. 137.

⁶³ Privacy International, *What is Privacy?*, October 2017, available at <https://privacyinternational.org/explainer/56/what-privacy#:~:text=United%20Nations%20Declaration%20of%20Human,against%20such%20interference%20or%20attacks.%E2%80%9D>.

⁶⁴ As also stated by the European Court of Human Rights in: ECtHR, *Costello-Roberts v. the United Kingdom*, No. 13134/87, para. 36, March 25, 1993.

⁶⁵ As also stated by the European Court of Human Rights in: ECtHR, *Costello-Roberts v. the United Kingdom*, No. 13134/87, para. 36, March 25, 1993.

precise definition of privacy which is universally valid, and differences in cultural attitudes play an important role in its interpretation and understanding. Furthermore, the concept is permanently evolving with society, in particular with its technological developments.

For the purposes of the project, we look at privacy from a European perspective and, to make sure this fundamental right is protected, we focus on and follow the rules of the European Union legal framework in the field of privacy and data protection. Partners need to be aware of the complexity of the privacy concept. We encourage them, while e.g. conducting interviews, to be sensitive to the different cultural and individual perceptions of privacy of migrants and asylum seekers which are coming from realities different from the European one. Within ITFLOWS these different perceptions can become relevant where individual perceptions of privacy of migrants and asylum seekers and the legal interpretation within the European Union diverge. While individual perspectives are not legally binding, possible differences in the understanding can be critical for the enforcement of European legal standards. For example, the exertion of rights in line with the GDPR enables the individual to perform his/her rights based on an informed decision. It is, however, questionable if an informed decision under the GDPR is possible if the privacy implications are not or differently understood. An example may be a data subject giving consent to extensive data processing because the envisioned data processing is based on the (wrong) assumption that capabilities of European authorities are similar to the capabilities of authorities in the country of origin (e.g. limited/local sharing vs. highly-interconnected border-control/law enforcement). It would hence be necessary to inform the data subject in a very broad manner to overcome different perceptions.

Internal Guidance

ITFLOWS has implemented a DPIA process that is conducted over the course of the project. The applied methodology as laid down in Section 2.1 of this report foresees the implementation of different communication channels and tools (e.g. CKAN access, MSTeams, email correspondence, questionnaires) between legal and technical experts.

These communication channels (including this deliverable) will be used to provide internal guidance to the researchers and developers to ensure sufficient understanding of the legal risks and requirements that come along with the data processing in ITFLOWS.

Change of Technology

Example (Machine learning, Agent-based modelling): ITFLOWS plans to pursue a hybrid agent-based machine learning model. Although it is not expected, it could turn out that the underlying model or the machine learning approach is just not feasible to achieve the intended outcomes and other technologies are more suited to achieve the same purpose with lower risks. Depending on the individual risks and potential advantages of the current approach, changes in technology might be necessary. It could also happen that the conducted research shows that the agent-based model needs to be much more complex, than initially expected and hence the underlying hardware/technology needs to be updated as well. In practice, this could - for example - mean that a simple MySQL database needs to be replaced with SparkSQL for the sake of more efficient processing.

Putting clear data-sharing agreements into place

Example (CKAN): ITFLOWS plans to use a CKAN instance to share and access databases within the project. To this end, all partners need to agree on the conditions to use this data. If personal data is involved, it needs to be defined who/how/why the data can be used and, in line with other requirements, the technological measures to enforce these agreements should be implemented. For ITFLOWS, this could mean that the CKAN instance should set up general user-management capabilities. In this light, FIZ Karlsruhe already created an account on the ITFLOWS CKAN instance to be able to overview the work and provide guidance where necessary.

Making changes to privacy notices

Example (website): To ensure compliance with the transparency requirements of the GDPR, the website of the project and of the partners should inform about the processing of personal data that takes place in the project to ensure data subjects are enabled to exercise their rights. This could mean that the controller needs to implement measures to ensure requests from data subjects are handled appropriately and in a timely manner.

These measures are exemplary; they are intended to give the individual controllers in the project a sense of what might be required from them when processing personal data. The actual measures that need to be implemented are subject to a case-by-case evaluation of the data controller. The intended and/or implemented measures will be collected through the aforementioned communication channels. Based on the insights through these channels, the DPIA can constitute a solid foundation for additional guidance to the technical side of the project (e.g. Task 2.3 and 2.4). The gathered information will be collected in an internal spreadsheet (see Fig. 2) to ensure oversight and feasible management of requirements to steer research and guidance efforts towards the most critical challenges.

	A	B	C	D	E	F	G	H	I	J	K	L
1	Title	Related Partners	Requirement	Identified Issue (short)	Identified Issue (full)	Proposed Solution	Implemented Solution	Related Task	Requirement Source?	Severity	Severity/consid	Comments
2	Informed Consent	for interviews: CRI, OCC, OIT, IAI, UAB; for workshops and focus group: CEI	Interviewees must be provided Pursuant to Art. 6 (1) (a) G	Specific templates of In-				T3.4, T6.5, T7.1, T7.2, T7.3	Art. 6 (1) (a) GDPR	High		The informed con NGOs are consi
3	Excessive data collection	CERTH	The data collected has to be n Pursuant to Art. 5 (1) (c) G	Stick to data minimisati-				T4.1	Art. 5 (1) (c) GDPR	Medium	med	
4	Re-purposing	All Partners	Re-purposing intende	Re-purposing needs to be clarified				T6.1	Art. 5 (1) (c) GDPR	Medium		
5	Storage	CERTH, all partners	Clear retention period	Retention periods need to be defined				T6.1	Art. 5 (1) (c) GDPR	Medium		
6	Lack of legal basis	All partners	Where personal data is collected	a legal basis is necessary				All Tasks	Art. 5 (1) (c) GDPR	Medium		
7	Lack of transparency	All partners	Transparency	Information about the processing of personal data should be publicly available on the website				All Tasks	Art. 5 (1) (c) GDPR	Medium		
8	Lack of accountability	All tech partners						All Tasks	Art. 5 (1) (c) GDPR	Medium		
9	Ensure correct representation of the interview outcome	CRI, OCC, OIT, IAI, UAB	Accuracy	It must be ensured that the so Pursuant to Article 5 (1) (d)	Participation of cultural mediators during interviews, T3.4				Art. 5 (1) (d) GDPR	Medium		
10	Illegal access		Security					T6.1	Art. 6 (1) (a) GDPR	Low		
11	Data security breach							T6.2	Art. 6 (1) (a) GDPR	Low		
12	Breach of data subject rights							T6.3	Art. 6 (1) (a) GDPR	Low		
13	Limiting data collection for semantic research	FIZ (ISE team)	data minimization, pu FIZ (ISE team) should only col Pursuant to Art. 5 (1) (c) (i)	Data could be anonymi-				T3.3	Art. 5 (1) (c) GDPR	Low		High risk because personal data i
14	Limiting data collection from GDELT	BUL, UAB	data minimization, pu BUL and UAB should limit the BUL and UAB plan to collect data from the GDELT -					T6.1	Art. 5 (1) (c) GDPR	Low		medium risk because something
15	Legal Basis for the Processing of GDELT data	BUL*	legal basis	BUL and UAB need a legal ba long explanation				T6.1	Art. 6 (1) (a) (b) GDPR	Low		
16	Avoid inaccuracies in the processing of data (quantitative analysis and development)			Minimize false positives						Low		
17	Loss of personal data									High		
18	Disclosure to unauthorized parties									High		
19	Risk due to limited oversight/control				The DPO originally appointed for the project dropped in November 2020. The project is now looking for a new DPO							

Figure 3. DPIA Internal Collection Table

At the current stage, a concrete model for processing is not fully clear nor foreseeable. In the current phase of the project it was hence chosen to conduct the assessment on the top-level information that is already available in the project. As stated in the methodology section, the most important sources for information are

the technical partners and the Grant Agreement of the project. In conjunction, both can provide an initial overview on the expected processing in the project. The information gathered in the preliminary DPIA questionnaire that has been sent around by FIZ Karlsruhe to the respective (technical) work package leads underlined the existing uncertainty on the technical level of the project. This uncertainty stems from multiple sources: first and foremost, in research and development projects such as ITFLOWS it is primary goal to shed light on areas that are currently opaque. Starting from a point of uncertainty is hence necessary to tackle the underlying questions – here the understanding and prediction of migration flows. In addition, ITFLOWS pursues a strong integration of potential end-users via the so-called Users Board. The input from the user side will hence influence the processing approaches that are pursued in the project. ITFLOWS further aims to integrate a variety of qualitative and quantitative analytical approaches. By default, these approaches do not necessarily fit together on a technical level. To achieve integration of all analytical aspects during research, but also in the EMT, it is necessary to develop a common understanding and architecture. Given the different disciplines that will contribute to this common goal, the time needed to develop such an architecture needs to be taken into account.

For the above reasons, the initial assessments will mainly focus on the expected processing on the task level, rather than a more fine-grained view on individual partners. Similarly, risks that may arise due to the connection of datasets and/or processing approaches are covered only insofar as they are foreseeable or expected without knowledge of the specific architecture of technical parts of the project. D2.3 is hence a mitigation measure to highlight possible risks that are, or can be, related to the envisioned processing of personal data in the project. The deliverable thereby provides a platform to inform partners about these potential risks and enables them not only to elude a specific risk but to avoid the emergence of the risk in the first place. If the incurrance of a risk cannot be avoided, mitigation measures to effectively reduce the risk can be implemented based on the guidance provided by the legal team over the course of the project.

A more fine-grained analysis including specifics of the technical integration of the approaches pursued in ITFLOWS will be conducted over the course of the project.

The latter is further strongly intertwined with the legal guidance that will be provided to the technical partners over the course of the project. The following assessments are based on the abovementioned data sources and the additional information that was collected from the individual partners. It should be noted that this information is only be preliminary and can hence only be seen as an initial indication as to the actual risks.

Task 3.2

The data collected and processed in T3.2 stems from publicly available sources that provide data in a highly aggregated manner (e.g. FRONTEX, WDI, WB Governance Indicators – see table above). In its aggregated form, the processing of such data does not state a particular risk to fundamental rights and freedoms of natural person in the context of research.

The processing can, however, pose such a risk where it is connected with data that may be determined to constitute personal data. It therefore needs to be specified if personal data is mixed with these datasets. In these cases of information enrichment, the initially non-personal data can easily inherit the “personal” features and the combined dataset can become personal data within the meaning of Art. 4 (1) GDPR. The combination of non-personal and personal data should hence be avoided as far as possible. To this end, ITFLOWS generally aims to anonymise data to the greatest extent possible.

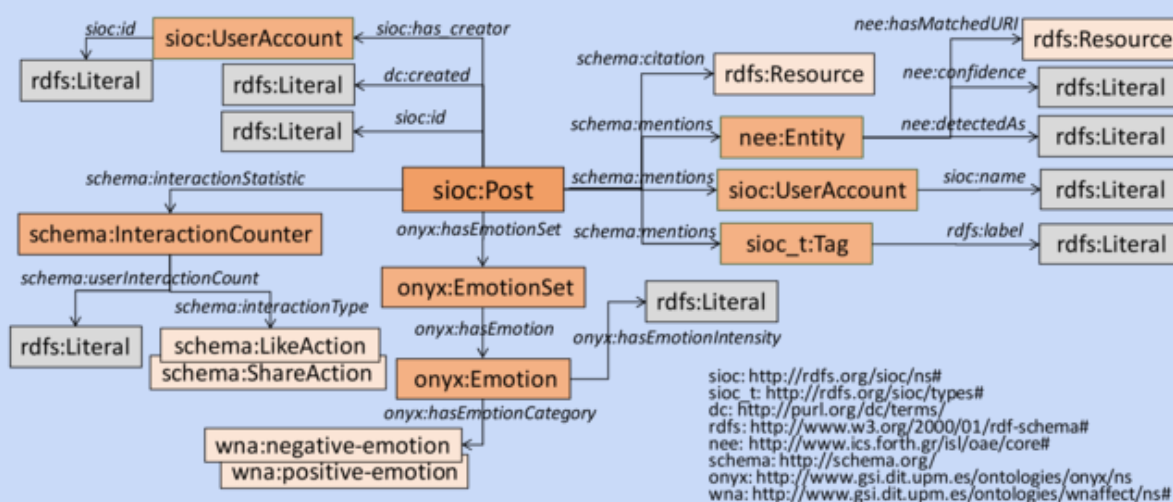
Task 3.3

Task 3.3 comprises multiple analytical approaches from the Twitter API. Two partners, namely FIZ-ISE and CIT are involved in the processing of Twitter data. Both institutions pursue different approaches in the analysis of Twitter data. FIZ-ISE will focus more on sentiment analysis based on the used hashtags in tweets. CIT on the other hand will lay a stronger focus on the analysis of the textual content of the tweets in a NLP approach to detect emotions in tweets. In the end, the purpose of both approaches is to extract additional information from the Twitter stream to generate insights on the public

attitude in the countries of origin and destination.

The different approaches pursued by FIZ-ISE and CIT make it necessary for each partner to develop individual mitigation measures to ensure compliance with the GDPR in the research context.

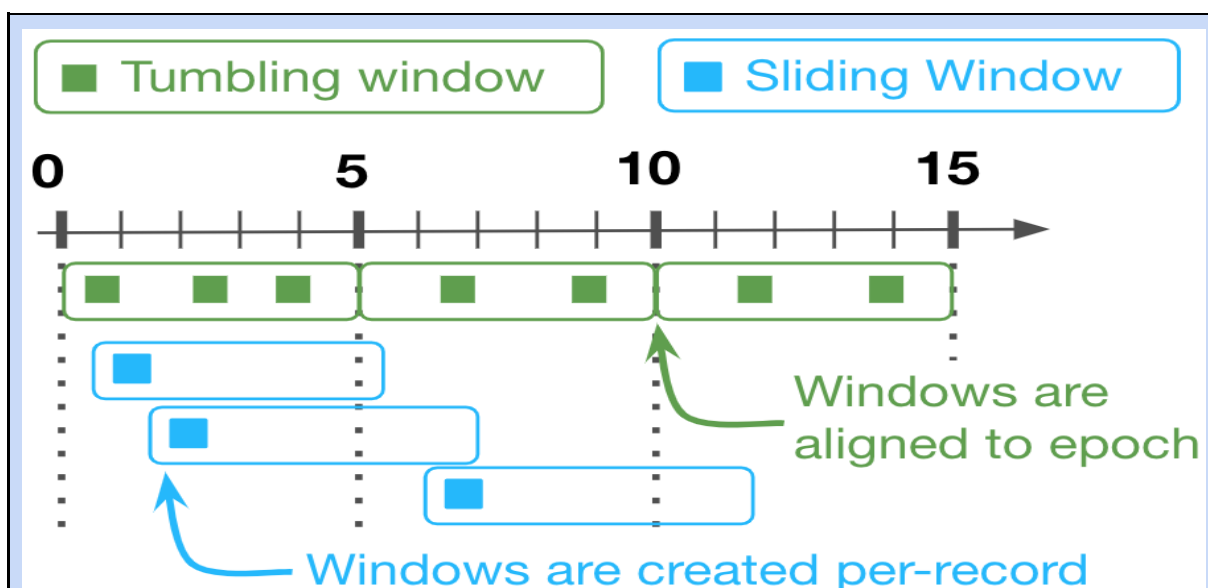
To this end, in earlier and initial research FIZ-ISE used existing twitter datasets from TweetsKB⁶⁶. TweetsKB data does not contain content of the tweets but rather a data model revolving around the tweet. This model contains annotations on the involved entities (based on RDF) as well as emotion and sentiment annotations. It was hence possible to gather relevant twitter data at without the content of the tweets. The model does include the unique tweet-id, though – making it possible to link the model back to the original tweet. If this database is used, the tweet-id should be erased from the extracted dataset as far as possible without undermining the research approach.



TweetsKB RDF Model

As FIZ aims to generate a near live-depiction of sentiments in the twitter stream, it was decided to directly access the Twitter API as well. In this context, the extracted data will be limited to a sliding window of 30 minutes as provided by Twitter. This gives a first indication on possible measures to ensure compliance with the data minimisation principle – e.g. limiting the size of the sliding window.

⁶⁶ <https://data.gesis.org/tweetskb/>



Twitter Sliding Window

It is not fully clear if similar measures can be applied to the CIT approach. The implementation of mitigation measure hence needs to be assessed by CIT individually. In the initial discussion, CIT stated that they will “automatically remove personally identifiable information such as names, ages etc.” This approach will mainly be driven by Named-Entity-Recognition (NER) to identify and delete personally identifiable information as far as possible. It was stated that this is a “simply basic approach is to use a named entity tagger and Named entity recognition (NER) to find this information in the text and then replace it with a random string after the first level of pre-processing, i.e. Tokenisation and cleaning.” This approach will be adapted in line with the manual evaluation of the data to ensure it is sufficiently effective. Where information cannot be deleted without undermining the research approach, alternative methods will be evaluated. One way to do so could be to replace certain information with hash-values that are usable for ML approaches but still provide a better protection of the affected natural persons.

In this light, T3.3 already started to implement helpful measures to ensure a sufficient level of data protection in the research context of ITFLOWS. That being said, the connection of such datasets with other information may result in novel risks, that need to be evaluated on a case-by-case basis over the course of the project.

Another approach in this Task is pursued by IfW and UAB, who aim to analyse Google Trends data to get insights on possible migration intentions. The majority of data used

in this context will be in aggregated and anonymised form from the start. However, the information provided on the concrete approaches could not yet be evaluated completely. Both partners provided information on their recent⁶⁷ and similar approaches⁶⁸. The latter will need further evaluation as the approach is based on various data sources on its own. The risks to natural persons in the second approach are deemed relatively minor due to the use of publicly available and aggregated data.

All approaches on their own state manageable risks. Given sufficient mitigation measures are in place, the intended research is likely to be in line with the GDPR requirements. That being said, it is not fully clear how and if the abovementioned approaches in this task will be combined in any way. In this case, additional risks may arise. Prior to any connection between datasets and approaches it should be evaluated by the legal team in ITFLOWS. In addition, the legal partners will overview the data that is managed on CKAN to ensure all necessary mitigation measures are in place to ensure compliance with the GDPR.

Task 3.4

In this task, interviews with refugees will be conducted in multiple European countries. The interviews will be conducted by NGOs (OCC, OIT, CRI) in Spain, Greece and Italy. The interviews will be conducted in semi-structured form and aim to identify possible migration drivers. This data will then be used to check the accuracy of the data driven analysis in other tasks.

Interview data, in the particular context of vulnerable groups, can pose high risks to the fundamental rights to data protection of the involved interviewees. It is hence necessary that high safeguards are in place to mitigate any data protection risks that may arise due to the interviews. The partner UAB-IDT has hence started the discussion with the conducting NGOs early on to ensure sufficient protection of the data subjects. Since data

⁶⁷ Böhme et. al., Searching for a better life: Predicting international migration with online search keyword, available at <https://doi.org/10.1016/j.jdeveco.2019.04.002>.

⁶⁸ Carammia M., Iacus S., Wilkin T., Forecasting asylum-related migration flows with machine learning and data at scale, arXiv:2011.04348, November 2020, available at <https://arxiv.org/abs/2011.04348>.

will be directly collected from the data subject, the processing of interview data will be based on the consent of the interviewee. Therefore, ITFLOWS has developed a specific informed consent form that informs the data subjects about the processing in the project and the corresponding rights as laid down in the GDPR. A challenge in this regard is to make the information material as transparent and understandable as possible even for people with limited or no English language skills. To tackle this, the informed consent form will be written in easy language and interviewees will be supported by the respective NGOs in understanding the full text in line with Article 7 and Recital 32 GDPR. Beyond using clear language, it was further agreed that interview data will only leave the premises of the NGOs in anonymised form. To ensure this, the metadata (location, age, gender, ...) will be anonymised based on a methodology specified in a “technical description of anonymisation techniques” that has been developed in WP3 and reviewed by legal partners in WP2. In short, the respective NGO will erase any information from the metadata that may allow identification of the interviewee.

Code	Date	Place	Gender	Age Group	Educational/professional background	Country of origin
R-001-025						

Interview Metadata

This “contextual” approach enables NGOs to adapt the anonymisation to the given conditions (i.e. if there is only one individual with certain features in the community, or are there many with same features). Thereby valuable information can be maintained as far as possible while ensuring a high level of data protection. The methodology to anonymise of transcripts of the interviews is not completely clear at this point. One way to achieve this, would be to summarise and condense multiple or all interviews to avoid the possibility to draw conclusions about the interviewee based on personal experiences. In addition to this, the procedure of the exertion of data subjects’ rights requires further clarification. Ideally, the data subject should reach out to the responsible NGO rather than the project DPA or controller. The latter bears the risk to break the anonymity of the data subject that ITFLOWS aims to achieve through anonymisation on the NGO level. As a consequence, the NGOs will be data controllers

pursuant to Art. 4 (7) GDPR. The rest of the project will only receive anonymised data and does hence not fall under the GDPR in the first place with regard to interview data. The data flow is depicted in the figure below (**Error! Reference source not found.**).

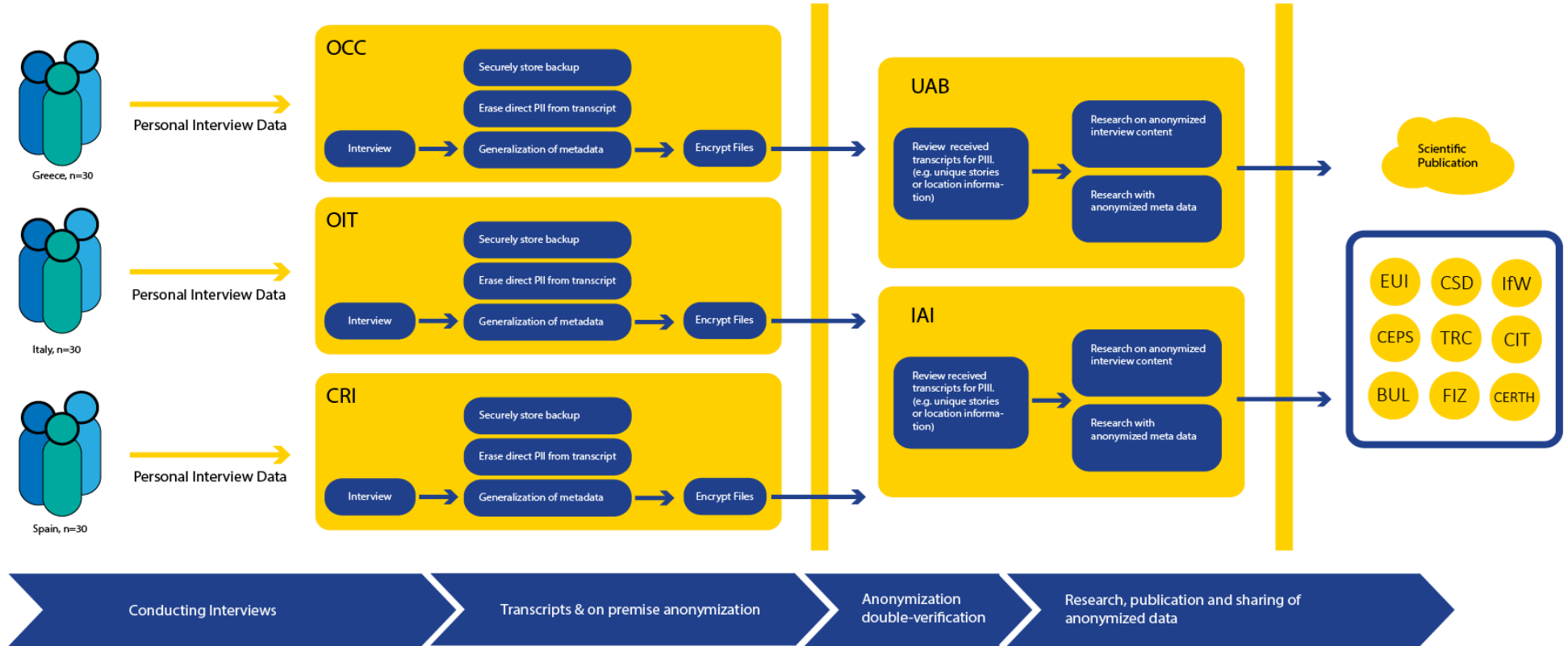


Figure 4. Interview Data Flow 1

Task 4.1

In task 4.1 data from the Socio-Economic Panel (SOEP) will be analysed. SOEP is a wide-ranging, nationally representative longitudinal study of private households across Germany that was launched in 1984. It is based at DIW Berlin. Every year, nearly 15,000 households and more than 25,000 individuals are surveyed for the SOEP-Core study by the fieldwork organisation Kantar Public (TNS Infratest up to 2017). The data provide information on all members of households in both the former East and West, including foreigners, and recent immigrants to Germany. Also immigrant samples were added in 1994/95 and 2013/2015 to account for the changes that took place in Germany society. Two samples of refugees were introduced in 2016, another one in 2017. Specially the Immigrant and the Refugee sample will be used in this Work Package.

SOEP data on asylum seekers and refugees will be used to generate improved predictions on the number of family members to arrive in the course of future family reunification programs. Additionally, the data will be used to estimate delayed fertility effects on the fertility of refugee families after reunification. The SOEP data is expected to be not directly related to natural persons. However, the WP2 team did not yet have access to the data itself as it is not publicly available but requires specific registration to the “Research Data Center of the SOEP.”⁶⁹ However, SOEP does have very specific data protection measures and a strict access management system.⁷⁰ It hence needs to be specified which data is actually accessed/accessible by ITFLOWS partners. Further review is needed.

⁶⁹ C.f. https://www.diw.de/en/diw_02.c.222518.en/research_data_center_of_the_soep.html

⁷⁰ E.g. https://www.diw.de/documents/dokumentenarchiv/17/diw_01.c.44070.de/geocode_richtlinie.415762.pdf.

	Abt. SOEP	DIW Berlin	Externe WissenschaftlerInnen in der Abt. SOEP	Externe WissenschaftlerInnen mit DWV
Namen und Adressen der SOEP-Befragten	-/-	-/-	-/-	-/-
SOEP-Rohdaten	AV + DSV + eingeschränkter Benutzerkreis	-/-	-/-	-/-
SOEP-Standard (SUF)	AV + DSV	AV + DSV	DWV + DSV	DWV + lokale DSV
Zusätzliche Gebietstypisierungen (Gemeindegroßenklassen und BIK-Regionen)	AV + DSV	AV + DSV	DWV + DSV	DWV + ZV 1 + DSK
Raumordnungsregionen	AV + DSV	AV + DSV	DWV + DSV	DWV + ZV 2 + DSK
Kreise	AV + DSV	AV + DSV	DWV + DSV + SOEPonsite mit protokolliertem Zugriff	DWV + ZV 3 per SOEPremote execution
Postleitzahlen	AV + DSV	AV + DSV + SOEPonsite mit protokolliertem Zugriff	DWV + DSV + SOEPonsite mit protokolliertem Zugriff	-/-
Microm Zusatzdaten	AV + DSV	AV + DSV	DWV + DSV + SOEPonsite mit protokolliertem Zugriff	-/-
Klartextangaben	AV + DSV + Nutzung auf Anfrage	-/-	DWV + DSV + SOEPonsite mit protokolliertem Zugriff	-/-

SOEP Access Management Example⁷¹

Task 4.2

Task 4.2 will only use publicly available macro data from sources such as Eurostat (see above). The task itself does hence not constitute specific data protection risks. However, as with all datasets in the project – a possible connection with other (personal) data – either in research or in the EMT - has to be subject to additional review and legal guidance.

⁷¹ https://www.diw.de/documents/dokumentenarchiv/17/diw_01.c.347090.de/soep_datenschutzverfahren_2020.pdf

Task 4.3

Task 4.3 will use publicly available data from sources such as Eurostat and EASO and primary data obtained from the NGOs (part of the Users' Board of the Project) through focus group and qualitative online-survey.

Regarding the processing of publicly available data, please see the considerations made in the box above (see Task 4.2). Regarding the processing of primary data obtained from NGOs, the aim is to analyse the perception of NGOs regarding the current situation of migrant integration policies and integration outcomes. Such processing may present some risks if e.g. information regarding individual experiences are collected. The leading partner of the task, UAB, has stated that the processing of NGOs data will be based on the consent of the NGOs and the data will be fully anonymised. More information regarding such type of processing, the consent form and the anonymisation methodology to be used is needed.

Task 5.2

Similar to Task 4.2, although with another goal, the data in this task is focused on aggregate-level data from publicly available sources. The risks in this task are hence relatively minor and mainly arise through connection with other, more critical, datasets.

Task 5.3

Task 5.3 is conducted by FIZ-ISE, CIT and IfW. Similar to Task 3.3, the source data will be Tweets. These can either stem from the Twitter API directly, or from other sources that pre-collected and processed data for research purposes (e.g. TweetsKB).

Task 6.1

Task 6.1 aims to bring together technological partners in charge of creating the models and the EMT, partners that collect and analyse data in the other WPs and end-user partners. In this context, the data processing aspects are relatively minor. However, the aim of this task is to provide a foundation for the EMT. In this context it is necessary to keep in mind the different data protection aspects that do arise in the other tasks as well as possible end-user scenarios. The context of the use of the EMT will have a high influence on the possible data protection risks. First information from the user board is expected to be available by the end of January following the first WP6 workshop. The outcomes will then also be evaluated from a data protection perspective as part of the DPIA.

Task 6.2

This task will focus on the design of the EMT simulation component. While it is anticipated that the visualisation does not provide significant risks to the rights to data protection and privacy, the specifics have to be reviewed continuously. For example, if single tweets would be visualised as an example of increasing tension or sentiments – these tweets should be anonymised. Where the use of the EMT is linked to individual persons (i.e. decision to provide or not provide assistance to refugees based on the EMT) it needs to be acknowledged that the outcomes –even anonymous– could be linked to natural persons in a user scenario. End-user must hence be made aware of possible short-comings of the technology-driven approaches in ITFLOWS on the technical level.

Task 6.3, 6.4, 6.5

Similar to T6.2, an aggregated view of migration flows does not necessarily constitute any data protection implications. However, at this point it is not sufficiently clear how the individual models will be implemented. It is not intended to include research data in the tool itself – it would hence be necessary for the end-user to scrape data on their

own through the tool. When specifications are clearer, these data flows need to be evaluated on the legal side.

Task 7.2

In line with the requirements to make the technical shortcomings as well as possible use of personal data transparent to the end user, the EMT training need to formulate sufficiently clear guidelines which will be provided as part of D7.2 (Training Strategy) and D7.3 (User Guide). It has to be ensured that any “EMT-internal use of personal data is sufficiently to allow legal evaluation from the NGO side. At the same time, application of EMT “outputs” in relation to natural persons need to addressed. The use of the EMT can potentially result in - or at least support - possible profiling activities within the meaning of Art. 4 (4), Recital 60 GDPR. The possible use cases should hence be specified and communicated to the User Board. The legal team in the project should provide clear guidance as to which usage scenarios are more or less critical and how possible risks can be avoided.

Tasks 8.1 and 8.2

In line with the challenges in Task 7.2, the policy recommendations that will be issued in WP8 do not directly state a particular data protection risk. However, successful protection of personal data cannot be achieved on a singular level but rather needs an overarching approach that requires policy makers to be similarly aware of novel technological approaches and the risks that may come along with them. To this end, ITFLOWS does not envision usage of the EMT in the context of border protection or law enforcement. The application of the EMT in this context could easily pose highly critical risks to fundamental rights and freedoms of the affected persons/data subject. It is hence necessary to inform policymakers about these risks and to ensure the legal framework for the use of such tools is sufficiently clear and ensures the current level of

data protection in the EU is upheld – especially for possible, although not envisioned, end-users outside the scope of the GDPR (e.g. Frontex, Europol).

Task 9.2

The dissemination and communication tasks in WP9 need to be in line with GDPR requirements. This includes collection of data (e.g. email addresses, feedback) as well as dissemination activity through newsletters or research papers.

Task 9.3

In addition, to the abovementioned steps (see Task 9.2) ITFLOWS will provide information on its own website. This website should be in line with current data protection requirements. These requirements mostly concern the collection of user data (e.g. cookies) and sharing this data with third parties. In this context the preliminary analysis as part of the DPIA already resulted in the identification of some shortcomings on the website. These had to be addressed to ensure compliance with the GDPR. Furthermore, any information shared on MS Teams will be in line with GDPR requirements and anonymised as far as possible. Research datasets will not be shared on MS Teams (see above, CKAN).

Excerpt of FIZ's initial technical analysis⁷² of the website based on the WEC⁷³

```
{
  "type": "Browser",
  "level": "info",
  "message": "browsing now to https://ITFLOWS.eu",
  "timestamp": "2020-12-08T09:05:07.802Z"
}

{"type": "Request.Tracking", "stack": [{"fileName": "https://www.itflows.eu/", "source": "requested from https://www.itflows.eu/ and matched with fanboy-annoyance.txt filter /cookie-law-$~script"}], "data": {"url": "https://www.itflows.eu/wp-content/plugins/cookie-law-info/public/css/cookie-law-info-public.css?ver=1.9.4", "query": {"ver": "1.9.4"}, "filter": "/cookie-law-$~script", "listName": "fanboy-annoyance.txt"}, "level": "warn", "message": "Potential Tracking Beacon captured via fanboy-annoyance.txt with endpoint https://www.itflows.eu/wp-content/plugins/cookie-law-info/public/css/cookie-law-info-public.css.", "timestamp": "2020-12-08T09:05:16.944Z"}

{"type": "Request.Tracking", "stack": [{"fileName": "https://www.itflows.eu/", "source": "requested from https://www.itflows.eu/ and matched with fanboy-annoyance.txt filter /cookie-law-$~script"}], "data": {"url": "https://www.itflows.eu/wp-content/plugins/cookie-law-info/public/css/cookie-law-info-gdpr.css?ver=1.9.4", "query": {"ver": "1.9.4"}, "filter": "/cookie-law-$~script", "listName": "fanboy-
```

⁷² The technical report is available on MSTeams and provides a basis for discussion with the personnel involved in the ITFLOWS website.

⁷³ Website Evidence Collector of the EDPS, <https://joinup.ec.europa.eu/collection/free-and-open-source-software/solution/website-evidence-collector>

```
annoyance.txt"},"level":"warn","message":"Potential Tracking Beacon captured via fanboy-annoyance.txt with endpoint
https://www.itflows.eu/wp-content/plugins/cookie-law-info/public/css/cookie-law-info-gdpr.css.","timestamp":"2020-12-
08T09:05:16.945Z"}

{"type":"Request.Tracking","stack":[{"fileName":"https://www.itflows.eu/","source":"requested from https://www.itflows.eu/ and
matched with easyprivacy.txt filter ||googletagmanager.com/gtag/$third-
party"}],"data":{"url":"https://www.googletagmanager.com/gtag/js?id=G-4Z837VGLMX","query":{"id":"G-
4Z837VGLMX"},"filter":"||googletagmanager.com/gtag/$third-party","listName":"easyprivacy.txt"},"level":"warn","message":"Potential
Tracking Beacon captured via easyprivacy.txt with endpoint https://www.googletagmanager.com/gtag/js.","timestamp":"2020-12-
08T09:05:16.953Z"}

{"type":"Browser.Console","level":"debug","message":"Mixed Content: The page at 'https://www.itflows.eu/' was loaded over HTTPS, but
requested an insecure image 'http://www.itflows.eu/wp-content/uploads/2020/09/blue-bkg.jpg?id=20'. This content should also be
served over HTTPS.","timestamp":"2020-12-08T09:05:17.501Z"}

{"type":"Cookie.JS","stack":[{"columnNumber":1018,"lineNumber":350,"fileName":"https://www.googletagmanager.com/gtag/js?id=G-
4Z837VGLMX","functionName":"qf","source":" at qf (https://www.googletagmanager.com/gtag/js?id=G-
4Z837VGLMX:350:1018)"},"columnNumber":179,"lineNumber":352,"fileName":"https://www.googletagmanager.com/gtag/js?id=G-...
```

FIZ Karlsruhe recommended to update, for this very early stage of the project, at least the general information. The identified shortcomings have quickly and collaboratively been solved by the web design company “2b: creative”, UAB and FIZ. In this context, the SSL certificate of the website was repaired, and the cookies settings have been aligned with the legal requirements of the GDPR and the most recent case-law on the matter.⁷⁴ The website now offers state-of-the-art cookie handling and ensure clear opt-in/opt-out procedures for the users.

To ensure the data subjects are sufficiently informed about the processing of personal data in the project and the project fully complies with the transparency principle of the GPDR, FIZ proposed to have, later on, a more detailed and regularly updated version of the privacy statement. It would be particularly desirable to pursue a two-tracked approach (as in e.g. <https://www.titanium-project.eu/gdpr/>). FIZ will support the preparation of the privacy statement and privacy options on the ITFLOWS website. For the future, the website may provide be platform to provide information on the data processing but also to enable data subjects to exert their rights in an uncomplicated way. FIZ will provide suggestions and code snippets in this direction as far as possible and feasible.

⁷⁴ Case C-673/17, Planet49, 1 October 2019, ECLI:EU:C:2019:801, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62017CJ0673>.

Conclusions

The present report provided important information regarding the EtSIA and the DPIA processes (T2.2) within the ITFLOWS project.

Considering the analysis performed above on the ethical and data protection risks that the research activities foreseen in ITFLOWS arise —particularly in terms of jeopardising human rights— and the corresponding mitigation measures already taken or envisaged to be implemented since the delivery of this first iteration of the EtSIA and the DPIA, the assessment is the following:

1. Ethical risks related to human participation are sufficiently mitigated regarding the research activities already started. Adequate, relevant, and sufficient mitigation measures have been implemented to minimise and monitor the identified risks. However, this does not preclude the need to conduct close monitoring activities by the internal and external monitoring bodies of the project in order to ensure ethical compliance with all the measures already implemented.

Identified risks related to the non-started research activities involving human participants at this stage of the project will imply the design and implementation of further mitigation and monitoring measures that will be provided in D2.5.

2. Data protection risks in ITFLOWS have been identified and analysed from a legal, ethical, and societal perspective through the DPIA and the EtSIA conducted by FIZ, IDT-UAB and BUL, respectively. The report starts by explaining the DPIA general requirements set by the GDPR and putting them into the ITFLOWS context. It continues by outlining the contours of the ITFLOWS DPIA process, which hinges on two important pillars: 1) specific DPIAs concerning controllers' specific processing operations 2) overarching ITFLOWS DPIA concerning all the processing activities planned in the project. Both pillars require a joint implementation effort. Since the data processing in ITFLOWS needs continuous iterative review and the DPIAs are ongoing exercises, FIZ-Karlsruhe developed a DPIA methodology to be applied throughout the duration of the project. The DPIA methodology is described in this report; visual aid (e.g. images, tables) has been used for a more direct, clear and flexible communication and information gathering. The report concluded by conducting a preliminary analysis of the processing activities envisioned in the

project and by presenting initial findings of the first iteration of the ITFLOWS DPIA process.

In particular, the DPIA carried out by FIZ has provided: i) a systematic description of the data processing and the purposes of the processing; ii) an assessment of the necessity and proportionality of data processing on the basis of the specific purpose previously identified; iii) an assessment of the risks to the data subjects' rights and freedoms; and iv) a set of measures to address the risks identified (including safeguards and security measures mechanisms to ensure personal data protection and legal compliance with the EU GDPR).

On the other hand, the EtSIA has identified and analysed data protection risks in order to ensure ethical compliance with the ethical framework previously identified for the project in D.2.1.

Data protection risks have been sufficiently addressed at this stage of the project. However, further monitoring activities will be conducted by FIZ and UAB-IDT to ensure that the processing of personal data in ITFLOWS is developed in full compliance with the applicable legal and ethical framework, as well as according to the internal and external monitoring strategy devised for the project. In this regard, the ITFLOWS DPA is proactively involved in monitoring and providing advice to the Consortium in relation with all data protection and privacy issues posed by the research activities foreseen within the project. In addition, the IEB monitors data protection and privacy rights from an external and independent perspective, focusing on the ethical dimension of such citizens' rights.

Finally, it is important to note that a Data Management Plan (D1.1), consistent with this report, has been elaborated specifically for the project.

The monitoring of the data protection risks, and the implementation of the mitigation measures will be updated in D2.5.

3. Technological development of the EUMigraTool: Risks are not sufficiently mitigated at this stage of the project. Further information regarding the technical development of the EUMigraTool will be requested to CERTH in order to properly assess the potential negative impact that the technologies involved in the EUMigraTool in terms of jeopardising human rights. In D2.5 these risks will be

identified and evaluated, and mitigation measures will be provided.

4. Societal risks have been clearly identified at this initial stage of the project and a set of mitigation measures has been suggested to be implemented in order to address such risks. However, **further monitoring activities will be conducted** by the ethical lead partner and the external monitoring bodies involved in performing the ethical monitoring strategy designed for ITFLOWS (DPA, EAB and the IGC). The aim of reinforcing close monitoring activities regarding the societal mitigation measures already identified is twofold: i) ensuring compliance with the Human Rights EU legal framework applicable for the project, focusing particularly in avoiding or at least minimising negative societal impacts of the project; ii) to increase positive impacts of the research activities developed in ITFLOWS for the society. These monitoring activities will be reported in D2.5.

This deliverable has been reviewed and approved by the ITFLOWS Independent Ethics Board (IEB) and the ITFLOWS Data Protection Advisor (DPA).

References

Legal Sources (Chronological Order)

- Universal Declaration of Human Rights (United Nations, 1948). Retrieved from https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf
- Charter of Fundamental Rights of the European Union. Retrieved from <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12012P%2FTXT>
- Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons 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). Retrieved from <https://eur-lex.europa.eu/eli/reg/2016/679/oj>
- European Court of Human Rights (ECtHR), Satakunnan Markkinapörssi Oy and Satamedia Oy v. Finland, No. 931/13, 27 June 2017, retrieved from : <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62007CJ0073>
- European Court of Human Rights (ECtHR), Costello-Roberts v. the United Kingdom, No. 13134/87, March 25, 1993.
- European Court of Justice (ECJ), Case C-673/17, Planet49, 1 October 2019, ECLI:EU:C:2019:801, retrieved from <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62017CJ0673>.

Ethical guidelines (Chronological Order)

- Refugee Studies Centre, Queen Elizabeth House - University of Oxford (2007). Ethical Guidelines for Good Research Practice. UNHCR. Retrieved from <https://academic.oup.com/rsq/article/26/3/162/1590874>
- European Commission (2012). Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 25 January 2012: Safeguarding Privacy in a Connected World. A European Data Protection Framework for the 21st Century. retrieved from <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0009:FIN:EN:PDF>

- European Commission (2013). Ethics for Researchers https://ec.europa.eu/research/participants/data/ref/fp7/89888/ethics-for-researchers_en.pdf
- Iphofen, Ron (2013). Research Ethics in Ethnography/Anthropology. European Commission. Retrieved <https://www.eur.nl/sites/corporate/files/2018-07/Research%20Ethics%20in%20Ethnography%20-%20Anthropology.pdf>
- European Commission (2016). H2020 Programme: Guidelines on FAIR Data Management in Horizon 2020. Retrieved from https://ec.europa.eu/research/participants/data/ref/h2020/grants_manual/hi/oa_a_pilot/h2020-hi-oa-data-mgt_en.pdf
- ALLEA (2017). The European Code of Conduct for Research Integrity. Retrieved from https://ec.europa.eu/info/funding-tenders/opportunities/docs/2021-2027/horizon/guidance/european-code-of-conduct-for-research-integrity_horizon_en.pdf
- European Commission (2018a). Ethics in Social Science and Humanities. Retrieved from https://ec.europa.eu/info/sites/info/files/6_h2020_ethics-soc-science-humanities_en.pdf
- European Commission (2018b) Ethics and Data Protection. Retrieved from https://ec.europa.eu/info/sites/info/files/5_h2020_ethics_and_data_protection_0.pdf
- European Commission (2019). Horizon 2020 Programme: Guidance How to Complete your Ethics Self-Assessment. Retrieved from https://ec.europa.eu/research/participants/data/ref/h2020/grants_manual/hi/ethics/h2020_hi_ethics-self-assess_en.pdf
- European Data Protection Board (2020). Guidelines 05/2020 on consent under Regulation 2016/679 (Version 1.1). Retrieved from https://edpb.europa.eu/sites/edpb/files/files/file1/edpb_guidelines_202005_consent_en.pdf
- Christina Clark-Kazak (2019). Developing ethical guidelines for research. The International Association for the Study of Forced Migration (IASFM). Retrieved from <https://www.fmreview.org/ethics/clarkkazak>
- European Commission (2020). Guidance Note – Research on Refugees, Asylum Seekers & Migrants. Retrieved from https://ec.europa.eu/research/participants/data/ref/h2020/other/hi/guide_research-refugees-migrants_en.pdf

- European Data Protection Supervisor (2020). A Preliminary Opinion on Data Protection and Scientific Research. Retrieved from https://edps.europa.eu/sites/edp/files/publication/20-01-06_opinion_research_en.pdf
- European Commission (n/d). Research Ethics and Responsible Research and Innovation. Retrieved from <https://ec.europa.eu/programmes/horizon2020/en/h2020-section/responsible-research-innovation>

Secondary Sources (Alphabetical Order)

- Article 29 Working Party, Guidelines on Data Protection Impact Assessment (DPIA) and determining whether processing is “likely to result in high risk” for the purposes of Regulation 2016/679, WP 248 rev.01, Brussels, 4 October 2017.
- BeckOK DatenschutzR/Hansen, 34. Ed. 1.8.2020, DS-GVO (GDPR Commentary).
- Backhaus A., Martinez-Zarzoso I., Muris C., Do climate variations explain bilateral migration? A gravity model analysis, *IZA J Migration* 4, 3 (2015), retrieved from <https://doi.org/10.1186/s40176-014-0026-3>.
- Böhme et. al., Searching for a better life: Predicting international migration with online search keyword, *Journal of Development Economics*, Vol. 142 (2020), retrieved from <https://doi.org/10.1016/j.jdeveco.2019.04.002>.
- Callies, Ingrid: “Outline of an Ethics Assessment Framework”. SATORI Project, D. 4.2 (2017). Retrieved from https://satoriproject.eu/media/D4.2_Outline_of_an_Ethics_Assessment_Framework.pdf
- Carammia M., Iacus S., Wilkin T., Forecasting asylum-related migration flows with machine learning and data at scale, arXiv:2011.04348, November 2020, retrieved from <https://arxiv.org/ftp/arxiv/papers/2011/2011.04348.pdf>.
- Demetzou K., Data Protection Impact Assessment: A tool for accountability and the unclarified concept of ‘high risk’ in the General Data Protection Regulation, *Computer Law & Security Review*, Vol. 35 (6), November 2019.
- Dunlop, Claire A. and Radaelli, Claudio M.: “Impact Assessment in the European Union: Lessons from a Research Project”. *European Journal of Risk Regulation*, vol. 6, no. 1 (2015), pp. 27-34.
- ICO, Information Commissioner's office, “What is a DPIA?”, retrieved from <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the->

[general-data-protection-regulation-gdpr/data-protection-impact-assessments-dpias/what-is-a-dpia/](https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/data-protection-impact-assessments-dpias/what-is-a-dpia/).

- ICO, Information Commissioner's office, "How do we do a DPIA", retrieved from <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/data-protection-impact-assessments-dpias/how-do-we-do-a-dpia/#how9>
- Kuner C., Bygrave L.A., Docksey C., *The EU General Data Protection Regulation (GDPR): A Commentary*, Oxford University Press, 2020.
- Loukinas, Panagiotis: "Assessing the ethical impact of new standards for more effective crisis management". From Trilateral Research's webpage. *Assessing the ethical impact of new standards for more effective crisis management - Trilateral Research*
- MacNaughton, Gillian: "Human Rights Impact Assessment: A Method for Healthy Policymaking". *Health and Human Rights*, vol. 17, no. 1 (2015), pp. 63-75.
- Mantelero, Alessandro: "AI and Big Data: A blueprint for a human rights, social and ethical impact assessment". *Computer Law & Security Review*, vol. 34, Issue 4 (2018), pp. 754-772.
- Nielsen, Rasmus. "Ethical Impact Assessment and Conventional Impact Assessment". Satori Project, D. 1.1. Retrieved from: [1.a-Ethical-impact-assessmt-CIA.pdf \(satoriproject.eu\)](#)
- Privacy International, *What is Privacy?*, October 2017, retrieved from <https://privacyinternational.org/explainer/56/what-privacy>
- Purnhagen, Kai P. and Feindt, Peter H.: "Better Regulatory Impact Assessment: Making Behavioural Insights Work for the Commission's New Better Regulation Strategy". *European Journal of Risk Regulation*, vol. 6, no. 3 (2015), pp. 361-368.
- Rodrigues, Rowena et al.: "Review of ethical issues affecting PULSE (Ethical Impact Assessment Report)". Pulse Project, D8. 2. Retrieved from: [D8.2-Review-of-ethical-issues_26-Sept-2016.pdf \(pulse-fp7.com\)](#)
- *The Standard Data Protection Model: A method for Data Protection advising and controlling on the basis of uniform protection goals, adopted by the 99. Conference of the Independent Data Protection Supervisory Authorities of the Federation and the Länder*, April 17, 2020, retrieved from https://www.datenschutzzentrum.de/uploads/sdm/SDM-Methodology_V2.0b.pdf.

- Unspecified Author: “Ethical impact assessment / Ethics-by-design”. From Trilateral Research’s webpage. <https://www.trilateralresearch.com/our-research/data-privacy-and-ethics/ethical-impact-assessment-ethics-by-design%E2%80%8B/>
- Unspecified Author: “Section 5: Ethical Impact Assessment”. From Satori Project’s webpage. <https://satoriproject.eu/framework/section-5-ethical-impact-assessment/>
- Vammen Larsen, Sanne et al.: “ Social Impact Assessment in Europe:: A Study of Social Impacts in Three Danish Cases ”. *Journal of Environmental Assessment Policy and Management*, vol. 17, no. 4 (2015), pp. 1-24.
- Van Noorden, Richard (2020): “The ethical questions that haunt facial-recognition research”. *Nature*. Retrieved from: <https://www.nature.com/articles/d41586-020-03187-3>
- Vanclay, Frank et al.: “Principles for ethical research involving humans: ethical professional practice in impact assessment Part I”. *Impact Assessment and Project Appraisal*, vol. 31, no. 4 (2013), pp. 243-253.
- Warren S. and Brandeis L., *The Right to Privacy*, 4 *Harvard Law Review* 193, 1890.
- Warzo, Zuzanna: “Ethical, legal and societal impact assessment in security research – the example of the PREVISION project”. From Trilateral Research’s webpage. Ethical, legal and societal impact assessment in security research – the example of the PREVISION project - Trilateral Research
- Wright, David: “A framework for the ethical impact assessment of information technology”. *Ethics and Information Technology*, vol. 13 (2011), pp. 199-226.
- Wright, David and Friedewald, Michael: “Integrating privacy and ethical impact assessments”. *Science and Public Policy*, vol. 40 (2013), pp. 755–766.
- Xanthaki, Alexandra: “Against integration, for human rights”. *The International Journal of Human Rights* vol 20 (2016) pp. 815-838

ANNEX I

Questionnaire addressed at WP3 (T3.4) to provide the EU Commission with clarification on the ethics requirement.



WP 2 (IDT-UAB) – Questionnaire addressed at WP3 (T3.4) to provide the EU Commission with clarifications on the ethics requirements

Internal Working Document

IDT-UAB Team: Emma Teodoro, Mario Macías, Andrea Guillén

(September 2020)

1. Human participation

1.1 Participants

Topic: Interviews

1. Who do you intend to recruit (target group)?
2. What are your inclusion/exclusion criteria of research subjects?
3. Where and how will you reach your target group? How do you plan to establish a trust relationship with participants?
4. How are you going to ensure that minors will not be interviewed?
5. What is your methodology when conducting the interviews?
6. Do you have protocols to conduct interviews with migrants/asylum seekers/refugees?
7. Do you have procedures in place to protect participants' best interests and ensure that their involvement will not jeopardise safety or increase vulnerability?
8. How will you be transparent about the future use of research outcomes and their potential harm/benefit for vulnerable groups?

Topic: Incidental findings (i.e. any information discovered unintentionally that is not related to the research aims)

9. Do you have an incidental findings policy in place? If so, has it been approved by a competent national research ethics committee?

10. Have you identified the potential incidental findings that the interviews may reveal? Could you please provide a list of them (including a brief explanation, examples, ...) according to your expert knowledge on the matter? For instance, findings related to human rights violations, human and sexual trafficking, domestic violence, forced marriage, female genital mutilation, trading in human organs or child pornography. Please, be as specific as possible.
11. If an incidental finding occurred, how do you think it should be handled in the research setting? How should researchers proceed (e.g. who to inform? National authorities, NGOs, other agencies with relevant expertise, ...)?

Topic: Misuse (i.e. disclosing data that may endanger the safety of participants or their relatives)

12. Have you taken any steps towards the potential misuse of the interviews that may put participants at risk?
13. Under your perspective, which could be possible negative consequences for participants?
14. How would you prevent that the disclosure of participants' information does not lead to criminalisation, racism, etc.?
15. Do you have an internal Ethics Committee or something alike within your organisation?

1.2 Interviewers and other people involved

16. Who will conduct the interviews/ Is there an interviewers' recruitment plan (inclusion/exclusion criteria)? Do you have experienced members with relevant and acknowledged credential in your team?
17. Are there people in your team capable of translating the informed consent in an accurate, clear and plain language?
18. Is your staff capable of dealing with the wide range of languages spoken by the participants?
19. Are there cultural mediators in your organisation?
20. Are there people in your team with the appropriate expertise and skills to deal with the risks of participants' (re)traumatisation?

2. Personal data

21. Do you have a tailored and comprehensive Informed Consent Form for conducting interviews with migrants?

22. Do you have a Data Protection Officer (DPO)?
23. Has your organisation identified which kind of data do you expect to collect?
24. Do you have a privacy policy?
25. What procedures do you have in place for the processing of personal data?
26. Do you have anonymisation/pseudonymisation techniques in place?
27. Do you plan to record the interviews?
28. Do you have a data storage and erasure policy?

ANNEX II

Questionnaire to get additional detailed information for DPIA

Description of data	Please include all kinds of data that will be processed, whether you consider personal data or not. Please organize by tasks.
Data collector	Who will collect the data? Please organise it by tasks, if necessary.
Data collection procedure	Whether intended to be collected by you, the project partner or by a third party; if collected by a third party: for which purposes has the data originally been collected?
Specific purpose	Specific purpose for which you or the project partner wants to collect or obtain data.
Data processing procedure	Please describe the planned data processing procedure
Who has access to the data?	Not access to the original source, but to the stored data, maybe after it has been structured or combined with other data.
Data storage	Where will the data be stored? Expected duration of storage?
Potential risks to the rights and freedoms of data subjects	Please refer to the “description of data” (see above) and try to evaluate risks for the data subjects due to data processing planned.
Risk reduction	Please describe if there are (intended) measures & safeguards to reduce the above stated risks.
Technical and organisational security measures	What technical and organizational security measures will be implemented? (General and with regard to the above stated risks)
Data retention	How long do you intend to keep the data? Is it planned to keep data beyond the scheduled end of the project?

Reuse of the data	Is it planned to use the data for other purposes?
Necessity and proportionality	Is the processing of personal data necessary and proportionate to the specific purpose stated above? If so, why?