



International Rail Transport Committee
Comité international des transports ferroviaires
Internationales Eisenbahntransportkomitee

1st Meeting of the Data Protection
Experts, 17-18 June 2020,
Video Conference
Appendix 1 to the Working document


Data Protection and COVID-19

UIC Task Force COVID-19
Videoconference, 26 May 2020

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In charge of
Passenger traffic, Data Protection, Infrastructure



SUMMARY

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- What is CIT?
 - Processing of personal data
 - Processing of sensitive data
 - Data Protection and COVID-19

WHO WE ARE

Members

200 railway +
maritime companies
from all around the
world

Aim

- Implementation of international and EU transport law
- Standardisation of the contractual relationships



Passenger
traffic

Freight
traffic

Infrastructure

Multimodality

Data
Protection

WHAT IS PERSONAL DATA?

What is personal data?



<https://grafimedia.eu/blog/data-protection-regulation-gdpr-guide/>

any information relating to an identified or identifiable natural person directly or indirectly,
e.g.: name, an identification number, location data,
an online identifier or to one or more factors specific
to the physical, physiological, genetic, mental,
economic, cultural or social identity of that natural
person

PROCESSING OF PERSONAL DATA

- **Consent**
- (...)
- **Necessity for compliance with a legal obligation;
Necessity in order to protect the vital interests of the data subject or of another natural person;**
- **Necessity for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;**
- **Necessity for the purposes of the legitimate interests pursued by the controller or by a third party**

SENSITIVE PERSONAL DATA

personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, **data concerning health** or data concerning a natural person's sex life or sexual orientation

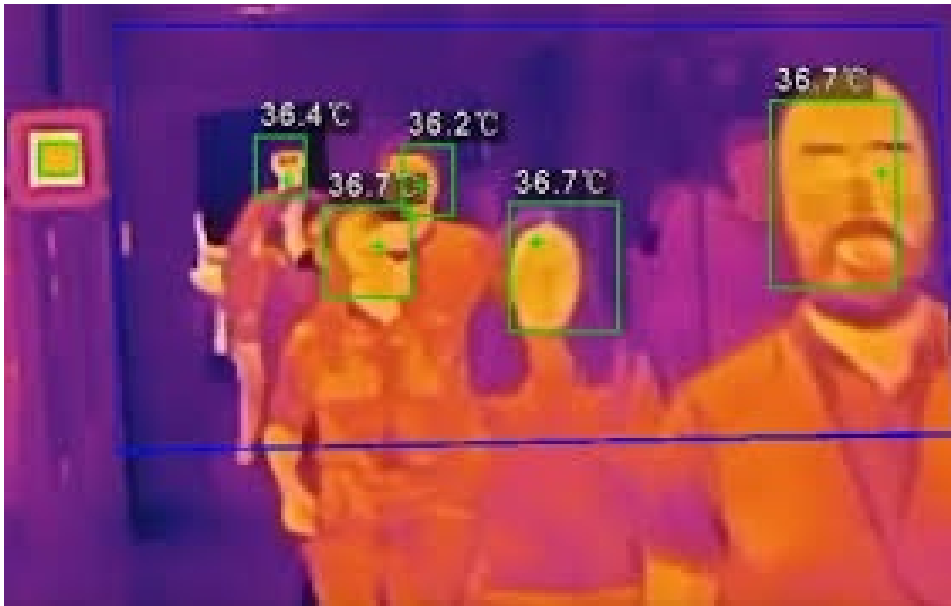
PROCESSING OF SENSITIVE PERSONAL DATA

- **Explicit consent**
- **Necessity in the field of employment and social security and social protection law**
- (...)
- **Necessity to protect the vital interests of the data subject or of another natural person**
- **Necessity for substantial public interest**
- **Necessity for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services**
- **Necessity for reasons of public interest in the area of public health**
- (...)

DATA PROTECTION AND COVID-19

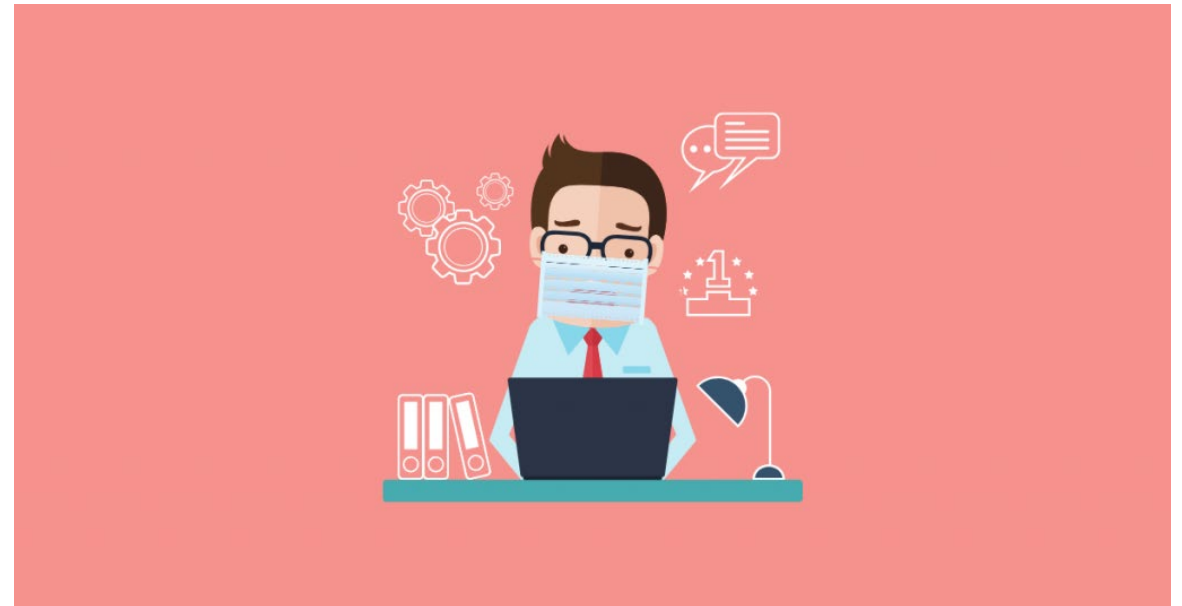
- EMPLOYEES

Body temperature screening of employees



<https://www.finanzen.ch/nachrichten/aktien/a-i-powered-body-temperature-sensing-fever-camera-launched-by-platinum-cctv-helps-businesses-protect-employees-and-customers-from-virus-spread-1029067662>

Personal data like health data of employees



<https://dataprivacymanager.net/coronavirus-covid-19-how-to-balance-public-health-needs-and-privacy-of-employees-disclosing-employees-personal-data/>

DATA PROTECTION AND COVID-19

- PASSENGERS

Body temperature screening in
the train



<https://www.iom.int/news/covid-19-forces-huge-numbers-ukrainians-home-face-fraught-future>

Check of passengers at the
station



<https://www.teleischia.com/212992/covid-19-rientri-7-maggio-7-positivi-al-test-rapido-e-nessuno-positivo-a-tampone-su-2310-viaggiatori/>

DATA PROTECTION AND COVID-19

– KEY POINTS

- **Don't process personal data/sensitive personal data** if not necessary
- If necessary, process (collect, store, use, disclose, etc.) **only the minimum amount** of personal data
- Comply in principle with the **rights of your passengers/employees** as regards data protection (right to be informed, right to object, right of access, right to portability, right to be forgotten, right to rectification)
- Ensure that you have **measures in place to keep personal data secure** (e.g. no data breach possible, etc.)

DATA PROTECTION AND COVID-19 – RESOURCES

<https://www.coe.int/en/web/data-protection/covid-19-data-protection-resources>

https://edpb.europa.eu/our-work-tools/our-documents/other/statement-processing-personal-data-context-covid-19-outbreak_en

<https://globalprivacyassembly.org/covid19/covid19-resources/>

**Thank you
for your attention!**

Questions?

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