

Annual Report Contributions - information needed

1. What happened and when?

In September 2019, the EDPS we issued a temporary ban on EASO producing social media monitoring (SMM) reports (case 2018-1083). The purpose of their SMM was to provide EASO management and relevant stakeholders with reports on the latest shifts in asylum and migration routes, smuggling offers and the discourse among social media community users on key issues – flight, human trafficking and EU+ asylum systems/processes.

2. How does it relate to the Strategy?

Exercise of our powers under Art. 58(2) Regulation

3. What are the implications of this for data protection? Why is it important?

Next to a number of other serious concerns (including risks linked to the use of social media monitoring tools / chilling effects, high risks to the fundamental rights of individuals and groups concerned, fairness and transparency, the vast number of social media users concerned), we do not currently see any legal basis for EASO to do this. Considering the risks to individuals' fundamental rights and freedoms posed by social media monitoring, EASO should rely on an explicit legal basis. The future EASO Regulation should therefore add a reference to "publicly available sources".

4. What is the outcome? What are the next steps?

In the absence of a legal basis for the processing operation, the EDPS made use of his corrective power under Article 58(2)(g) of the Regulation and imposed a temporary ban on 30/09/19. The implementation of the ban was verified on the occasion of a visit to EASO in November 2019.