

Truth Justice And Memory Studies Association Personal Data Processing, Protection And Destruction Policy

1. Introduction

1.1. Purpose And Scope

Law No. 6698 on the Protection of Personal Data entered into force on April 7, 2016, and with the "Truth Justice and Memory Studies Association Personal Data Processing, Protection and Destruction Policy" (Policy) regulated herein, as the Truth Justice and Memory Studies Association (Hafiza Merkezi' or 'Association'), we aim to set out the principles to be applied in the processing, protection and destruction of personal data within the framework of Law No. 6698 on the Protection of Personal Data (KVKK), which regulates the obligations and procedures to be followed by real and legal persons processing personal data, especially for the protection of privacy in the processing of personal data and protection of fundamental rights and freedoms, considering the security of everyone who has shared any personal data with us in any way by contacting our association.

1.2. Definitions

In the Truth Justice Memory Studies Association Personal Data Processing, Protection and Destruction Policy;

Personal Data: All kinds of information relating to an identified or identifiable natural person.

Special Categories of Personal Data: Data relating to race, ethnic origin, political opinion, philosophical belief, religion, sect or other beliefs, appearance, membership of associations, foundations or trade unions, health, sexual life, criminal convictions and security measures, as well as biometric and genetic data.

Data Subject: The natural person whose personal data is processed.

Processing of Personal Data: Any operation performed on personal data, wholly or partly by automated means or non-automated means which form part of a filing system, such as obtaining, recording, storing, preserving, altering, reorganizing, disclosing, transferring, taking over, making available, classifying or preventing the use of.

Data Controller: The person who determines the purposes and means of the processing of personal data and manages the place where the data is systematically kept.

KVKK or Law: Law No. 6698 on the Protection of Personal Data, published in the Official Gazette dated April 7, 2016 and numbered 29677.

Hafıza Merkezi or Association: Truth Justice and Memory Studies Association.

Explicit Consent: Consent relating to a specific issue, based on information and declared with free will.

Destruction: The deletion, destruction or anonymization of personal data.

Transfer of Data Abroad: Refers to the transfer of data to countries where adequate protection exists with explicit consent.

2. Data Controller

Pursuant to the Law on Associations, the TRUTH JUSTICE AND MEMORY STUDIES ASSOCIATION, registered in the Associations Registry and located at "Ömer Avni Mah. İnönü Cad. No:14 Akar Palas K:1 Gümüşsuyu Istanbul", is the data controller.

In the event that Hafıza Merkezi opens branches and representatives pursuant to the association statute, the data controller will still be Hafıza Merkezi.

As per the 09/05/2020 dated and 2020/315 numbered decision of the Personal Data Protection Board, our Association does not have the obligation to register with the Data Controllers' Registry.

3. Categorization Of Personal Data, Data Subjects, Data Types, Data Processing Tool And Legal Basis

In line with the analysis conducted during the PDPL compliance process, the data subjects whose personal data is processed by our Association, the type of personal data processed, the purposes of processing personal data and the legal basis, as well as the retention period required for the relevant personal data for the purpose they are processed (without prejudice to the mandatory retention periods stipulated in the PDPL) have been identified. The table regarding this analysis is attached to the Policy (Annex 1).

3.1. Data Subjects

With this Policy, the persons whose personal data may be processed are listed below without limitation, and all rights regarding the processing of the personal data they have communicated to Hafiza Merkezi in any way by contacting Hafiza Merkezi or otherwise are reserved.

- Members of the Truth Justice and Memory Studies Association
- Volunteers of the Truth Justice and Memory Studies Association
- Employees of the Truth Justice and Memory Studies Association
- Job applicants to the job advertisements of the Truth Justice and Memory Studies Association
- Parties to human rights violation cases and victims of human rights violations that it monitors, documents and reports within the scope of its scientific research activities carried out to fulfill the purposes specified in the statute of the Truth Justice and Memory Studies Association
- Real persons benefiting from the activities of the Truth Justice and Memory Studies Association
- Subscribers to the Truth Justice and Memory Studies Association newsletter
- Natural persons with which the Truth Justice and Memory Studies Association has entered into goods or service procurement contracts
- Visitors to the head office (premises) of the Truth Justice and Memory Studies Association
- All relevant natural persons, including those who have legally shared their data with the Truth Justice and Memory Studies Association

3.2. Personal Data Categories

The personal data categorized by Hafiza Merkezi below is processed in accordance with the personal data processing conditions set out in the Law and relevant legislation:

Identity Information: Information about a person's identity contained in documents such as driver's license, identity card, residence permit, passport, marriage certificate will be classified under this category.

Contact Information: Information to contact the data subject such as phone number, home or work address, electronic mail will be classified under this category.

Education, Work and Professional Life Data: Any data relating to people's educational and professional lives will be classified under this category.

Event Participant Information: Information obtained about the relevant person that shows their participation in events such as symposiums, panels, consultation meetings organized by Hafiza Merkezi to achieve its purposes stated in its statute, will be classified under this category.

Physical Space Security Information: Personal data relating to records and documents such as camera recordings taken during entry and stay in the physical space of the Association's premises as an integrated part of the security alarm system, will be classified under this category.

Transaction Security Information: Personal data processed to ensure our technical, administrative, legal and commercial security while carrying out our activities will be classified under this category.

Financial Information: Personal data processed regarding all kinds of information, documents and records showing any financial outcome arising from the type of relationship established by Hafiza Merkezi with the data subject will be classified under this category.

Job Applicant Information: Personal data processed about individuals who have applied to become an employee of Hafiza Merkezi or have been considered as an employee candidate or have an employment relationship with Hafiza Merkezi will be classified under this category.

Legal Proceeding and Compliance Information: Personal data processed for compliance with Hafiza Merkezi's policies will be classified under this category.

Audit and Inspection Information: Personal data processed within the scope of Hafiza Merkezi's legal obligations will be classified under this category.

Special Categories of Personal Data: Data relating to people's race, ethnic origin, political opinion, philosophical belief, religion, religious sect or other beliefs, appearance, membership of associations, foundations or trade unions, health, sexual life, criminal convictions and security measures, as well as biometric and genetic data will be classified under this category.

Request/Complaint Management Information: Personal data regarding the receipt and evaluation of all kinds of requests or complaints directed to Hafiza Merkezi will be classified under this category.

Digital Environment Usage Data, Cookie Data: Data obtained as a result of tracking users' activities in the digital environment, containing browsing duration and details, location data, usernames and passwords and all kinds of personal data will be classified under this category.

Legal Data: Personal data processed to collect and report legal documents, conduct legal analysis and campaign within the scope of Hafiza Merkezi's Legal Studies Program and Support for Human Rights Organizations and Defenders Program will be classified under this category.

Sociological Data: Personal data processed from in-depth interviews and documentations for documentation, reporting and memorialization within the scope of Hafiza Merkezi's Memory and Peace Studies Program and Support for Human Rights Organizations and Defenders Program will be classified under this category.

Audio and Video: Audio and visual data processed within the scope of all Hafiza Merkezi's work will be classified under this category.

4. Processing Of Special Categories Of Personal Data

Special importance is attributed under the Law to personal data of a sensitive nature, due to the risk of victimization or discrimination of individuals when unlawfully processed. These "special categories" of personal data are; data relating to race, ethnic origin, political opinion, philosophical belief, religion, religious sect or other beliefs, appearance, membership of associations, foundations or trade unions, health, sexual life, criminal convictions and security measures, as well as biometric and genetic data.

In some cases, our Association may have access to special categories of personal data contained in the content of legal documents it accesses within the scope of its scientific research activities carried out to fulfill the purposes stated in its statute that it monitors, documents and reports on human rights violations. In such cases, if the relevant special categories of personal data are not necessary for the purpose and scope of the scientific research activity, they are not processed by our Association.

If special categories of personal data are necessary for the purpose and scope of the scientific research activity, they are processed by our Association in accordance with the principles set out in this Policy and by taking all necessary administrative and technical measures, including methods to be determined by the Personal Data Protection Board. According to the relevant legal provisions, special categories of personal data can only be processed with the explicit consent of the data subject. However, if there are provisions in other legal legislation, they can be processed without the explicit consent of the data subject.

5. Purpose Of Data Processing

Your personal data is processed by Hafiza Merkezi for the purposes stated below;

- To ensure the registration of your data in accordance with the Law on Associations and all relevant legislation,
- To carry out our activities in line with the purposes defined in the Statute of the Truth Justice and Memory Studies Association,
- To carry out all necessary transactions to provide opportunities such as participation, newsletter subscription, benefiting from events, share publications,
- To use services of third parties (Zoom, GoToWebinar, Google Meet, etc.) belonging to online programs used by Hafiza Merkezi for organizing events and for online or face-to-face meetings, conferences, symposiums and panels,
- To keep records of and communicate with volunteers and/or volunteer candidates of the Truth Justice and Memory Studies Association,
- To prepare personal files for job candidates and former employees of Hafiza Merkezi, to carry out procedures for evaluating the suitability of job candidates, to carry out records and procedures required for the admission and entry of employees, to contact job candidates in case a suitable position opens up, to contact former employees, to plan activities for former employees,
- To ensure fulfillment of legal obligations as required or mandated by legal regulations,
- For all other purposes specified in the KVKK.

6. Method Of Processing Personal Data

Personal data is collected by Hafiza Merkezi through means such as e-mail, telephone, website and/or paper forms kept in written, oral or electronic media, automatically and/or non-automatically.

Hafiza Merkezi has no responsibility regarding personal data sent by the data subject through e-mail and all other online communication channels and with respect to documents not physically or via the website, without any requirement or request. Such data is immediately and irreversibly deleted and destroyed.

7. Those With Access To Personal Data

The following persons have access to the personal data processed and stored by Hafiza Merkezi:

- Members of the Board of the Truth Justice and Memory Studies Association
- Directors of the Truth Justice and Memory Studies Association
- Employees of the Truth Justice and Memory Studies Association

8. Transfer Of Personal Data

Personal data processed by Hafiza Merkezi may be transferred to:

1. Relevant public institutions, limited to information requested within their legal powers and to the extent required by legal obligations,
2. Accounting advisor and contracted tax advisor to fulfill Hafiza Merkezi's financial and tax obligations,
3. Servers abroad, limited to storage and archiving activities, since the servers of the website and social media and video sharing platforms we use are located abroad,
4. Domestic or foreign project grant provider, limited to carrying out, reporting and executing project activities in case of project implementation,
5. Except logistics companies, no third parties located domestically or abroad other than contact and identity information in order to procure services domestically.

9. Storage Of Personal Data

As Hafiza Merkezi, we retain your personal data for the period necessary for the purpose for which they are processed and for the minimum period stipulated in all other relevant legislation that we are subject to. In this context, our Association first determines whether a period for the storage of personal data is stipulated in the relevant legislation, and if so, acts in accordance with this period.

If there is no legal period, personal data are stored for the period necessary for the purpose for which they are processed. Taking into account the processing purpose for each personal data category, the periods determined by our Association are included in Annex-1. Personal data are destroyed at the end of the determined storage periods, in accordance with periodic destruction periods or data subject requests, and by destruction methods determined (deletion and/or destruction and/or anonymization).

10. Preservation And Security Of Personal Data

If your personal data is automatically processed data, it is stored on the data server and database belonging to Hafiza Merkezi.

If your personal data is not automatically processed/physically processed data, it is stored in protected compartments specially prepared at Hafiza Merkezi's association premises. In addition, a separate high security area has been allocated for storing your special categories of personal

data. Most of the physical documents are also scanned and stored securely on the data server of Hafıza Merkezi.

As Hafıza Merkezi, in accordance with Article 12 of the Law, we take the necessary measures according to the nature of the data to be protected in order to prevent unlawful disclosure, access, transfer or other security vulnerabilities of personal data. In this context, our Communication and Legal teams within the association take administrative and technical precautions to provide the necessary security level in accordance with the guidelines published by the Personal Data Protection Board, provide necessary in-house training and conduct audits.

In addition, the technical and administrative measures taken to protect personal data are announced to all employees. A 'confidentiality agreement' is signed as an annex to the employment contract with employees. Relevant policies and directives are served to employees. Employees are expected to act accordingly, and sanctions are stipulated in the confidentiality agreement if they do not.

As Hafıza Merkezi, we take appropriate and necessary measures such as software systems and physical security measures regulated in the "Truth Justice and Memory Studies Association Personal Data Security Directive" in order to prevent unlawful processing of personal data in information systems containing personal data as per Article 12 of the KVKK, to prevent unlawful access, and to ensure their preservation. We prevent unlawful processing of personal data by third parties. In case personal data is obtained illegally by others, the notification specified in Article 12 of the KVKK will be made by Hafıza Merkezi in accordance with legal regulations.

11. Deletion, Destruction And Anonymization

Your personal data is processed in the manner prescribed by the Law and secondary legislation, and destroyed in accordance with legally determined cases. Data processed automatically and not physically available is destroyed by software and in an irreversible manner, while data processed non-automatically and physically available is destroyed using a paper shredder. Even if processed in accordance with the law pursuant to Article 7 of the Law, in case the reasons requiring processing no longer exist, personal data is deleted, destroyed or anonymized by Hafıza Merkezi ex officio or upon request of the data subject, in accordance with guidelines published by the Personal Data Protection Board.

12. Rights Of Data Subjects And Application Methods

12.1. Rights Of The Data Subject:

Data subjects have the following rights:

- To learn whether personal data is processed or not,
- To request information if personal data has been processed,
- To learn the purpose of processing personal data and whether they are used appropriately for that purpose or not,
- To know the third parties to whom personal data is transferred domestically or abroad,
- To request correction of incomplete or incorrectly processed personal data and to request notification of this correction made to third parties to whom personal data has been transferred,
- Despite being processed in accordance with the Law and other relevant laws, in case the reasons requiring processing no longer exist, to request deletion or destruction of personal data and notification of this transaction made to third parties to whom personal data has been transferred,
- To object to an outcome against himself/herself resulting solely from analysis of data processed exclusively by automated systems,
- In case of damages due to unlawful processing of personal data, to claim compensation for the damages.

12.2. Application Methods

As personal data owners, you may submit your requests regarding your rights by sending the filled wet-ink signed application form via mail to “Ömer Avni Mah. İnönü Cad. No:14 Akar Palas K:1 Gümüşsuyu İstanbul”, or to the e-mail address info@hafiza-merkezi.org using your secure electronic signature/mobile signature or the e-mail address you previously notified to Hafıza Merkezi and registered in Hafıza Merkezi’s data recording system, and your request will be concluded as soon as possible and within 30 (thirty) days at the latest, depending on the nature of the request. If the transaction requires an additional cost, a fee may be charged from you as per the tariff to be determined by the Personal Data Protection Board.

In the application you will make to exercise your rights specified above as the personal data owner, your explanations about the right you request to use and exercise should be clear and comprehensible, the issue you request should be related to you personally or if you are acting on behalf of someone else, you will need to submit the power of attorney prepared by the notary public in this regard.

It is obligatory for your applications to contain name-surname, signature, Turkish ID number, residence or workplace address, e-mail address, telephone and fax number, subject of request elements as per the Communiqué on the Procedures and Principles of Application to the Data Controller. Applications lacking these elements will be rejected by Hafıza Merkezi.

13. Enactment And Amendment

This policy document prepared by Hafıza Merkezi was approved by the Board of Directors on 06.11.2023, registered in the decision book, approved by the Board of Directors and published on Hafıza Merkezi's website.

In line with legal regulations and changing/developing conditions, Hafıza Merkezi may make amendments to its policies adopted pursuant to the Personal Data Protection Law.

Truth Justice And Memory Studies Association

Contact

You can reach us through the following means for your requests, suggestions and to exercise your rights arising from the law and specified above.

Address: Ömer Avni Mah. İnönü Cad. No:14 Akar Palas K:1 Gümüşsuyu İstanbul

E-mail: info@hafiza-merkezi.org

Data Subjects	Data Types	Processing Purpose	Legal Basis	Retention Period
Association Members	Identity Information, Contact Information, Education Information, Occupation Information	<p>Carrying out activities in line with the objectives and fields of activity stated in the association statute,</p> <p>Organization, management and execution of activities and related processes for association members such as general assembly meetings, working group meetings, other member meetings,</p> <p>Ensuring communication on issues of rights and obligations between the association and its members and fulfillment of relevant rights and obligations,</p> <p>Informing about association activities and events held,</p> <p>Determining and implementing association activities and services,</p> <p>Keeping records and books mandated by the association as per legislation, reporting, complying with information obligations, fulfilling contract requirements,</p> <p>Fulfilling obligations pursuant to the Law on Associations No. 5223, the Regulation on Associations and other relevant legislation,</p>	<p>Being legally mandatory for the association to fulfill its legal obligations,</p> <p>Data processing being mandatory for the legitimate interests of the association,</p> <p>Data processing being mandatory for the establishment, use or protection of rights,</p>	During association membership and 10 years after termination of membership

Employees	<p>Identity Information</p> <p>Contact Information</p> <p>Education Information</p> <p>Resume Information</p> <p>Health Information</p> <p>Criminal Conviction Information</p> <p>Bank Account Information</p>	<p>Fulfilling obligations arising from employment contract and relevant legislation,</p> <p>Carrying out processes for employee benefits,</p> <p>Conducting training activities,</p> <p>Conducting finance and accounting tasks,</p> <p>Conducting business activities / audits,</p> <p>Conducting occupational health / safety activities,</p> <p>Informing authorized persons, institutions and organizations,</p> <p>Publishing short biographies on the association's website,</p> <p>Initiating investigation in case of complaints within corporate policies on sexual harassment, mobbing and corruption</p>	<p>It being mandatory for the association to fulfill its legal obligations,</p> <p>Data processing being mandatory for the legitimate interests of the association,</p> <p>Data processing being mandatory for the establishment, use or protection of rights</p>	<p>During employment and 10 years after termination</p>
Volunteers	<p>Name Surname</p> <p>Contact Information</p> <p>Education Information</p> <p>Resume Information</p>	<p>Conducting association activities,</p> <p>Communicating with volunteers</p>	<p>Explicit Consent</p>	<p>During the period of volunteer support and 10 years after termination</p>
Employee Candidates	<p>Identity Information</p> <p>Contact Information</p> <p>Education Information</p>	<p>Conducting application processes of job candidates and communicating</p>	<p>Explicit Consent</p>	<p>During the relevant position evaluation period and 1 year after for</p>

	Resume Information			re-evaluation purposes
Service Contract Parties	Identity Information Contact Information Bank Account Information	Conducting finance and accounting tasks, Conducting association activities / audits, Conducting logistics activities, Conducting procurement processes of goods/services, Organization and event management, Conducting contract performance processes.	It being mandatory for the association to fulfill its legal obligations, Data processing being mandatory for the legitimate interests of the association, Data processing being mandatory for the establishment, use or protection of rights,	During the contract term and 10 years after contractual obligations have been fulfilled
Physical Space Visitors	Security Camera Recordings Visual and Audio Data	Ensuring the security of the association office, Being used as evidence in criminal prosecution in case a crime is committed	It being mandatory for the association to fulfill its legal obligations, Data processing being mandatory for the legitimate interests of the association, Data processing being mandatory for the establishment, use or protection of rights,	7 days
Newsletter Subscribers	Identity Information	Conducting association activities, Informing about current developments regarding the association's activities	Explicit Consent	During subscription period
İletişim Listelerinde Yer Alan Kişiler	Identity Information	Conducting association activities,	Explicit Consent	10 Years

		Announcing and informing about the association's activities,		
Event Participants	Identity Information	Conducting association activities, Establishing communication with the participants of the association's event,	Explicit Consent	10 Years
	Photograph, vide recording	Conducting association activities, Archiving association activities,	Explicit Consent	30 Years
Parties to Legal Documentation and Persons Involved in the Trial	Name Surname Conviction Information	Conducting association activities, Carrying out the processes of reporting and documentation for scientific research related to selected cases to be presented on the www.failibelli.org website, including content preparation.	Article 141 of the Constitution, the principle of "transparency" envisaged in Article 182 of the Criminal Procedure Code, and Article 28 of the Civil Procedure Code, Explicit Consent	49 Years
Parties and Individuals Related to Sociological Documentation of Human Rights Violations	Name Surname Visual and Audio Data	Conducting association activities, Conducting the processes of reporting and documentation for scientific research conducted within the framework of Memory and Peace Studies, Conducting the processes of reporting and documentation for scientific research carried out within the framework of the Supporting Human	Explicit Consent Information Voluntarily Made Public by the Relevant Person, Information Compiled from Public Sources	49 Years

		<p>Rights Organizations and Defenders Program.</p> <p>Managing and creating content for the www.hakikatadalethafiza.org website. Managing and creating content for the www.sessizkalma.org website.</p>		
<p>Human Rights Defenders Involved in the Supporting Human Rights Organization and Defenders Program Activities</p>	<p>Name Surname</p> <p>Conviction Information</p> <p>Contact Information</p>	<p>Conducting the association's activities,</p> <p>Conducting the processes of reporting and documentation for scientific research carried out within the scope of Human Rights Defenders Work.</p> <p>Managing and creating content for the www.sessizkalma.org website.</p>	<p>Information Voluntarily Made Public by the Relevant Person,</p> <p>Information Compiled from Public Sources</p>	<p>49 Years</p>