



PRIVACY NOTICE

This privacy notice informs you about the processing of your personal data as part of the research. You have a legal right to receive this information under the European Union and Finnish legislation.

1. Data Controller(s) in the study “To be subjected: the International Criminal Court’s discursive construction of its legal subject”

The Data Controller is responsible for the lawful processing of personal data in this research.

The Data Controller of this research is: the University of Jyväskylä (JYU), Seminaarinkatu 15, P.O. Box 35, 40014 University of Jyväskylä. Business ID 0245894-7. Data Protection Officer: tietosuoja@jyu.fi, + 358 40 805 3297.

Person in charge of the research

Name: Elena Barrett
Phone number: (+358)45 893 6880
Email: elena.c.barrett@jyu.fi
Work address: Seminaarinkatu 15, P.O. Box 35, 40014 University of Jyväskylä.

Team members who process personal data in this research:

The Data Controller and the person in charge of the research (both named above) are authorised to process personal data for this doctoral dissertation. Additionally, the dissertation supervisor is authorised to process the data.

2. Processor(s) of personal data

Processor of personal data refers to somebody processing personal data on behalf of the Data Controller and according to the Data Controller’s instructions. A Data Processing Agreement must be signed with the processor of personal data. In this research, personal data are processed by:

Microsoft JYU-administered cloud services

During research, the Data Controller can also use other processors of personal data who cannot be named beforehand. Necessary agreements are always signed with the processors and their eligibility for the processing of personal data in terms of information security is assessed before signing the agreement. The data subject will be informed separately about the use of another processor if the change is significant from the data subject’s point of view.

To ensure the accuracy of research data, the Data Controller may submit data for processing (primarily without direct identification data) to a so-called research reviewer or verifier for a defined period when necessary. These reviewers or verifiers work under the supervision of research staff, and data processing agreements are signed with them.

3. Personal data to be processed in the study “To be subjected: the International Criminal Court’s discursive construction of its legal subject”

In this research, we will collect the following personal data: discourse produced by and about data subjects in the context of trial proceedings at the International Criminal Court (ICC). The data will be collected from ICC trial hearing transcripts and other courtroom document made available for research purposes on the ICC website (www.legal-tools.org). Data subjects include: ICC Judges and other ICC staff members, counsels, defendants and witnesses.

. Data collection is based on the research plan.

This research involves the processing of personal data of the following special categories or offenses and criminal records:

- ☒ Race or ethnic origin
- ☒ Political opinion
- ☒ Religious or philosophical beliefs
- ☒ Sexual behavior or orientation
- ☒ Offences and criminal records

This privacy notice has been published on the university website.

4. The lawful basis for processing personal data in scientific research

- ☒ Scientific research serving a public interest (GDPR, Article 6.1e, special personal data categories 9.2j)
- ☐ Data subject’s consent (GDPR, Article 6.1a, special personal data categories 9.2a)

Additional grounds

- ☐ Processing concerns special personal data categories, that the data subject has expressly made public (special personal data categories 9.2e)
- ☒ Processing of personal data for journalistic, academic, artistic, or textual purposes (Data Protection Act, section 27)

The lawful basis for processing personal data in this research is the performance of a task carried out in the public interest, in accordance with Article 6(1)(e) of the GDPR. The processing is also justified under Article 9(2)(j), as it involves special categories of personal data processed for scientific research purposes. The research examines publicly available International Criminal Court (ICC) trial transcripts and other courtroom documents, which contain references to identifiable individuals, including accused persons, legal professionals, and expert witnesses. Where such references include data relating to criminal convictions or offences, the processing is conducted in accordance with Article 10 GDPR and Section 6 of the Finnish Data Protection Act, which permits the use of such data for scientific research purposes. The research also benefits from Section 27 of the Finnish Data Protection Act, which allows for the processing of personal data for academic and textual purposes.

5. Transfer of personal data outside the EU/EEA area

Your personal data will not be transferred outside the EU/EEA area.

6. Protection for personal data

Processing of personal data in this research is based on an appropriate research plan and the study has a designated person in charge. The personal data collected and saved for this research will include only such data that is necessary for the research purpose.

Preventing identification

The data is analysed with direct identification data because the research involves analysis of publicly available ICC trial transcripts in which individuals (e.g., expert witnesses, legal professionals, accused persons) are named in accordance with established judicial procedure. The inclusion of these identifiers is necessary for the integrity and accuracy of the legal-linguistic analysis, particularly regarding specific testimonies, arguments, or judicial reasoning. As the data are already manifestly public, and the individuals are referenced in their official capacities, the retention of direct identifiers is proportionate and necessary for the purpose of research.

Special attention is given to the protection of the data of vulnerable victims and witnesses of atrocity crimes. In this regard, any personal information that could lead to the identification of vulnerable witnesses is systematically removed by the ICC Registry before transcripts and other trial documents are released to the public.

The personal data processed in this research will be protected using:

- ☒ user ID ☒ password
- ☒ by storing all data and related annotations for this project on the university's secure Nextcloud.

For this study, a separate data protection impact assessment has been made

☒ Yes

A separate data protection impact assessment (DPIA) has been completed for this research, in accordance with GDPR Article 35 and university policy. The DPIA evaluates the potential impact of processing publicly available personal data from ICC trial transcripts and outlines the technical and organisational safeguards in place.

The researchers have completed data protection and information security.

☒ Yes

The researcher has completed the required data protection and information security training provided by the University of Jyväskylä.

Agreements with research assistants and/or processors of personal data /Joint Data Controllers

☒ Yes

If necessary, such agreements will be done on an ad hoc basis.

7. PROCESSING OF PERSONAL DATA AFTER THE RESEARCH HAS ENDED

The research register will be deleted after the research has ended, **approximately by August 2026.**

8. Rights of the data subject

Right to access your personal data (GDPR, Article 15)

You have the right to get to know whether and which personal data of yours are processed. If you wish, you can also request a copy of your personal data to be processed.

Right to rectification (GDPR, Article 16)

If there are any inaccuracies or errors in your personal data to be processed, you are entitled to request that these be rectified or supplemented.

Right to erasure (GDPR, Article 17)

You have the right to demand in some cases that your personal data be erased. However, the right of erasure is not applicable if the erasure would prevent or greatly hinder reaching the goal of processing in scientific research.

Right to restriction of processing (GDPR, Article 18)

You have the right to restrict the processing of your personal data in some cases, like when you challenge the correctness of your personal data.

Deviating from the rights

In some individual cases, it is possible to deviate from the described rights on the grounds stipulated in the GDPR and the Data Protection Act insofar as the rights would prevent or greatly hinder reaching the goals of scientific or historical research or statistical purposes. The need for deviating from the rights is always assessed case-specifically. It is also possible to deviate from the rights if the data subject cannot, or cannot any longer, be identified.

Profiling and automatised decision-making

Your personal data will not be used for any automatic decision-making. In this research, the purpose of the processing of personal data is not to assess your personal qualities, i.e. profiling, but personal data and qualities are considered from the perspective of broader scientific research.

Implementing the data subject rights

If you have any questions about your data subject rights, you can contact the University's Data Protection Officer. All requests concerning the implementation of data subject rights are submitted to the JYU Registry Office. Registry Office and Archives, P.O. Box 35 (C), 40014 University of Jyväskylä, tel. 040 805 3472, email: kirjaamo@jyu.fi. Visiting address: Seminaarinkatu 15, Building C (University Main Building, 1st floor), Room C 140.

Reporting an actual or suspected information security breach to JYU

<https://help.jyu.fi/jp>

You have to lodge a complaint with a supervisory authority, especially with a locally relevant one in terms of your permanent place of residence or work if you regard that the processing of personal data violates the EU General Data Protection Regulation (EU) 2016/679. In Finland, the supervisory authority is the Data Protection Ombudsman.

Up-to-date contact information of the Office of Data Protection Ombudsman can be found here:

<https://tietosuoja.fi/etusivu>