

Contribution by the Directorate-General for Books, Archives and Libraries of Portugal to the EDPB Public Consultation 1/2026 ‘Guidelines 1/2026 on processing of personal data for scientific research purposes’

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The Directorate-General for Books, Archives and Libraries of Portugal is responsible for the National Archives – Torre do Tombo and deals with the daily application of the General Data Protection Regulation (GDPR). For that we most welcome any clarification made by the European Data Protection Board (EDPB).

We would like some clarifications on the following aspects/doubts:

Once the text of the Guidelines seems exclusively address the regime for scientific research established by the GDPR and do not provide guidance for either ‘archiving in the public interest’ or ‘statistical purposes’ which are typically benefitting from the same exemptions and derogation possibilities, we ask if the Guidelines are relevant for processing of personal data for ‘archiving in the public interest’ or will there be other guidance specifically for ‘archiving in the public interest’?

Given that daily work in archives intersects with issues of access to information and the processing of personal data, how can genealogical research, whether conducted by companies, professional researchers, or amateur individuals, be included in the definition of scientific research as presented in these guidelines? Can we include also all types of historical research?

How can the guidelines and in particular the named appropriate safeguards be applied in the context of Humanities and Social Science research such as historical research? Are there specific appropriate safeguards that research institutions such

as public archives should put in place considering the large amount of personal data at their disposal and the long duration of storing such data?

Could a public archive qualify as a research infrastructure and what would be the consequence of this for applying the GDPR regime for scientific research? If a public archive is considered a registry, what does this mean for applying the GDPR regime for scientific research? Does the example 4 apply to a national archive?

Since document digitization is a processing operation, can it be considered ancillary processing as described at entry 14? In cases where a research entity intends to digitize documentation before starting its research, can it be included in this concept?

Can the digitization of documents containing personal data for genealogical research purposes be included in the view expressed at entry 61? And if the digitization is carried out by entities external to the archives, can they keep copies of these digitization's, even if they are obliged to comply with all regulations relating to access and the GDPR in the country where the digitization is carried out? And can these copies be stored outside the EU, if this is stipulated in the digitization contract? Can the argument of scientific research associated with genealogical studies be used in such a broad way?

Does the description at entry 31 apply to historical archives, or is it excluded under the derogations concerning archives of historical interest?

We are available for any further clarification. Please use the follow addresses epd@dglab.gov.pt and rui.godinho@dglab.gov.pt

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