Aalto-yliopisto
Aalto-universitetet
Aalto University

**Subject: "Public consultation on EDPB Guidelines 1/2026 on processing of personal data for scientific research purposes"**
Date: 15.6.2026
D/3714/00.01.08.01/2026

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Aalto University has the pleasure to give this contribution to the guidelines presented in https://www.edpb.europa.eu/news/news/2026/edpb-brings-clarity-data-processing-scientific-research-speeds-finalisation_en and https://www.edpb.europa.eu/system/files/2026-04/edpb_guidelines_202601_scientificresearch_en.pdf , to be filled in at https://www.edpb.europa.eu/our-work-tools/documents/public-consultations/reply-form_en?node=9409

Aalto University welcomes these guidelines on data protection and scientific research. With this document we would like to highlight a few points that could benefit for more clarity. Our comments relate to (1) ensuring that public interest still remains a valid legal basis; (2) being more specific on when the contact details of data subjects need to be stored; and (3) providing more examples in certain cases, especially public-private partnerships, and on data repositories.

The contribution is collected by a group of experienced researchers and legal experts at Aalto University (see end of document) and approved by Vice President for Research.

**Comments on section 4: Legal basis**
In Finland, most research organisations rely on Article 6(1)(e) GDPR (processing necessary for the performance of a task carried out in the public interest), together with Section 4(1)(3) of the Finnish Data Protection Act, as the legal basis for processing personal data for scientific research. This has been the standard practice across Finnish research institutions and universities for the eight years since the GDPR entered into application. Although Section 4.2 of the Guidelines recognises Article 6(1)(e) as a legal basis of particular importance for scientific research, the more detailed discussion and examples in Section 4 appear to focus more extensively on consent, including broad and dynamic consent. Promoting the use of "broad" or "dynamic" consent, without equally detailed guidance on Article 6(1)(e), may in practice require shifting to a consent-based legal basis, departing from the long-standing public-interest basis. We would therefore request that the Guidelines explicitly address research conducted under Article 6(1)(e) (and, where relevant, Article 9(2)(j) with Article 89 safeguards) and provide guidance that does not presuppose a change of legal basis.

**Comments on section 5.3 (Further processing of personal data for further scientific purpose): Storing the contact details of data subjects**
Point 87 states: "*Controllers should not knowingly delete contact details if they intend to or anticipate that they will further process personal data for scientific research purposes. If a controller knowingly deletes contact details and then fails to inform data subjects directly when*

*further processing personal data for scientific research purposes, this may lead to a breach of the principle of transparency, pursuant to Article 5(1)(a) GDPR, as well as Article 13(3)*."

We are concerned that this statement, as currently phrased, conflicts with established GDPR principles and research practice. Under Articles 5(1)(c) and 5(1)(e) GDPR, controllers must not retain personal data longer than necessary for the purposes pursued. In many research projects, direct identifiers such as contact details (and, where relevant, signed consent forms) are deleted earlier than the research data because they are needed only for operational purposes (e.g., recruitment and scheduling of study participants) and are not required for the scientific analysis. Retaining contact details "just in case" they might be useful for future transparency obligations would contradict these principles.

Article 11(1)–(2) and Recital 57 provide that where the purposes of processing do not (or no longer) require identification of the data subject, the controller is not obliged to maintain or acquire additional information to identify data subjects solely to comply with the GDPR. Imposing a duty to keep contact details for the sole purpose of enabling direct notice about future research would be at odds with Article 11 and the principle that additional identification should not be pursued where it is unnecessary for the purposes.

Article 89(1) requires appropriate safeguards, including, as a rule, pseudonymisation. The routine deletion or segregation of direct identifiers is a key safeguard widely implemented in research to reduce risks and ensure data protection by design and by default (Article 25).

To avoid undermining these core principles, we respectfully ask that Point 87 be clarified to:

- Limit the retention expectation to cases where the controller specifically plans to directly re-contact the same data subjects as part of a defined further processing activity. In such cases, retaining contact details for that explicit and documented purpose may be justified.
- Confirm that controllers are not required to retain contact details solely to facilitate potential future transparency obligations where identification is not (or no longer) needed for the research purpose, consistent with Articles 5(1)(c)–(e) and Article 11.

**Examples in the guidelines**

In general, we are particularly pleased with these guidelines and the examples that also include research with social media (Example 9). The guidelines could benefit from a few more examples:

- A public–private research collaboration example clarifying when a university, research infrastructure, and company are separate controllers, joint controllers, or processors, and how legal bases, Article 26 arrangements, data subject rights, publication/commercial interests, and contact points are handled.
- A research infrastructure (specifically a public data repository) that stores pseudonymised personal data from individuals, possibly without direct ways of contacting the original study participants, and that can provide access to other researchers with further access control safeguards implemented through the establishment of a "Data Access Committee" by the organisation that acts as controller. This is de facto the standard operating procedure in

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European repositories such as the European Genome-phenome Archive (EGA) and it would be important to acknowledge this way of implementing access control and data protection duties.

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