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D1.2 Ethics

DEPLOYTOUR Ethics Charter

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Document Information

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List of Acronyms

Abbreviation / acronym	Description
AE	Affiliated entity
AI	Artificial Intelligence
AIA	Artificial Intelligence Act
AP	Associated Partner
BEN	Beneficiary
COO	Coordinator
CSA	Contractual Service Agreement
DPIA	Data Protection Impact Assessment
DPO	Data Protection Officer
ETDS	European Tourism Data Space (the ecosystem of Tourism data spaces)
EU	European Union
GA	Grant Agreement
GDPR	General Data Protection Regulation - Regulation (EU) 2016/679
PET	Privacy Enhancing Technologies
PIA	Privacy Impact Assessment
WP	Work Package

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Executive Summary

This deliverable addresses ethical considerations concerning human involvement, personal data management, and AI technologies in the DEPLOYTOUR project. It will provide guidelines and measures for handling ethical issues, including informed consent, data protection, and ethical AI usage, ensuring compliance with GDPR and other regulations. It will also cover the ethical operationalisation of the tourism data space and the app marketplace, detailing procedures for participant protection, data confidentiality, and bias mitigation in AI algorithms. This deliverable has the scope to ensure that high ethical standards are applied in all activities of DEPLOYTOUR, and that effective risk mitigation will be initiated.

The beneficiaries should be guided to pay particular attention to the principle of proportionality, the right to privacy, the right to the protection of personal data, the right to the physical and mental integrity of persons, the right to non-discrimination, the need to ensure the protection of the environment and high levels of human health protection.

Based on relevant EU regulations, especially the EU Charter of Fundamental Rights, the General Data Protection Regulation, and the Artificial Intelligence Act, relevant challenges associated with ethical risks are summarised, and specific measures for risk mitigation are proposed. The detailed rules and guidelines for each role in DEPLOYTOUR helping them to comply with ethical standards¹, and in organisations following this project, will be elaborated by the project team, guided by WP3, and laid down in the Rulebook of the future ETDS.

¹ It should be pointed out here that all the other ethical issues, like consent and transparency about data usage, equality of all participants in the data space (e.g., not favouring large companies), and persecution of data misuse, will be covered through the trust mechanisms of the data space and also part of the rulebook.

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1. Introduction

1.1 Project Summary

To turn the vision of a European Tourism Data Space into reality, DEPLOYTOUR brings together key actors of the tourism and data ecosystems and their wide public, business and research partner networks. Convinced that tourism data are crucial for the data economy in a European Single Digital Market, DEPLOYTOUR will develop a measurable contribution to the digital transformation of the tourism sector that can significantly strengthen European competitiveness.

The project outcomes provide the rules and processes for all roles identified to act on **governance, decision-making and policy-making** to foster innovation powered by tourism data. They will enable society to make Europe the most desired sustainable space for living and travelling. Starting from a mapping of the EU and non-EU tourism data landscape (with a focus on the European environment) and leveraging on initiatives on data sharing done by the CSA projects for tourism, DATES and DSFT, DEPLOYTOUR will collaboratively implement all proposals and requirements identified by their shared **strategy roadmap** for building a sustainable tourism data space. The processes will define clear objectives and key results to engage, support and motivate all stakeholders to share and use high-quality tourism data as a basis for innovation, operational efficiency and improved decision-making.

DEPLOYTOUR will implement the recommendations and best practices for data governance and digital business models, demonstrating how benefits for society can be created. Key success factors will be defined, and this will demonstrate how the tourism data space can create added benefits for the tourism industry and all sectors that tourism is interlinked with. In addition, **technical infrastructure and organisational structures will be designed** to spark and fuel the usage of interoperability standards and participation in a tourism data space to foster the digital transformation of SMEs in tourism and relevant cross-sector industries. DEPLOYTOUR will be a kick-start for implementing a European Tourism Data Space by involving all players on the supply and demand side through the strong ecosystem representatives of the DEPLOYTOUR project.

1.2 Ethical Challenges in DEPLOYTOUR

DEPLOYTOUR is an association of organisations, and numerous individuals will interact to drive the project to its success. Moreover, being an initiative dedicated to supporting the tourism sector, human stakeholders (the people engaged in all touristic services and the tourists themselves) are at the centre of DEPLOYTOUR's attention from the very beginning. The individuality of the people in the project is a great treasure and should be promoted and protected by the project to utilise the hidden opportunities for successful cooperation. In addition, the humans whose data will be involved in the transactions of the touristic applications trust in the reality of the promise that their data is always processed in a fair, privacy conserving and secure manner, following relevant EU standards and regulations, especially in the cases where AI applications will process the data.

As in society, individuals' rights and freedoms are exposed to various risks. In addition to the threat posed by deliberate attempts from positions of commercial power or other de facto dependencies, it is all too often unconscious or implicit prejudices and ignorance that jeopardise individuals' rights and freedoms. Moreover, new and emerging technologies can

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also bring with them new risk scenarios simply because not all possible effects of their application are yet known.

It must be the aim of the DEPLOYTOUR team to be aware of the ethical risks for all groups of people involved. This applies, thus, both to the collaboration in the project and, in particular, to the people who will be affected by the project results. It is therefore required to provide advice for disseminating appropriate information to all eligible roles, give hints to risk-mitigating actions, and monitor tasks like documentation and audits following relevant law, where applicable.

Finally, although this document deals particularly with ethical issues regarding human individuals, it might be worth mentioning that the project is also aware of taking care of fair relationships between legal entities. The future rulebook will also include guidelines for all roles concerned on how to handle the intellectual properties of others fairly and legally, and it will address issues of competition law.

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2 Ethical Commitments of DEPLOYTOUR

2.1 Respectful treatment of humans in DEPLOYTOUR

2.1.1 Introduction

Managing a large project team of members from various nations and diverse backgrounds presents unique challenges. To create an inclusive and productive environment, it is essential to ensure fairness, respectful behaviour, and ethical treatment for all team members, for external stakeholders who will be temporarily in contact with the project as experts or reviewers, for example, and for all human beings who should use the applications created in DEPLOYTOUR. The "EU Charter of Fundamental Rights" provides a valuable framework for establishing these principles within the project team. This chapter outlines key measures that should be implemented by the DEPLOYTOUR project to achieve these goals. Of course, more detailed rules will be laid down in the project management handbook for the project-internal scope, and in the rulebook for the various roles engaged in data sharing.

Creating a fair, respectful, and ethical project environment is essential for the success of a large, diverse team. Project teams can foster a culture of inclusivity, collaboration, and integrity by aligning with the principles outlined in the EU Charter of Fundamental Rights and implementing the measures discussed. These efforts not only enhance the well-being of team members but also contribute to the overall success and sustainability of the project.

2.1.2 General Remarks

In general, the consortium members are committed to supporting ethical standards and agree on ethics and values obligations in the Grant Agreement (GA), Article 14²:

14.1 Ethics

The action must be carried out in line with the highest ethical standards and the applicable EU, international and national law on ethical principles.

Specific ethics rules extending and complementing this article are set out in Annex 5 of the GA:

Ethics

Actions involving activities raising ethics issues must be carried out in compliance with:

- ethical principles

and

- applicable EU, international and national law, including the EU Charter of Fundamental Rights and the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Supplementary Protocols.

The beneficiaries must pay particular attention to the principle of proportionality, the right to privacy, the right to the protection of personal data, the right to the physical and mental integrity of persons, the right to non-discrimination, the need to ensure protection of the environment and high levels of human health protection.

² See the [DEPLOYTOUR Grant Agreement](#) document

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Before the beginning of an action task raising an ethical issue, the beneficiaries must have obtained all approvals or other mandatory documents needed for implementing the task, notably from any (national or local) ethics committee or other bodies such as data protection authorities.

The documents must be kept on file and be submitted upon request by the coordinator to the granting authority. If they are not in English, they must be submitted together with an English summary, which shows that the documents cover the action tasks in question and include the conclusions of the committee or authority concerned (if any).

Since Ethical standards are inextricably linked to the values of the EU, the consortium forces its members to agree with and act according to the principles agreed upon in the European Community. Therefore, the participants are obliged to:

14.2 Values

The beneficiaries must commit to and ensure the respect of basic EU values (such as respect for human dignity, freedom, democracy, equality, the rule of law and human rights, including the rights of minorities).

The binding standard for EU Citizens' rights has been set by the [EU Charter of Fundamental Rights](#)³ and the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Supplementary Protocols⁴. In particular, the project team will consider and enforce the rights guaranteed in TITLE III 'Equality' (Art. 21 - 26) in the EU Charter.

The consortium agreed in the GA on possible sanctions if partners or their representatives do not comply with the agreed ethical standards:

14.3 Consequences of non-compliance

If a beneficiary breaches any of its obligations under this Article, the grant may be reduced (see Article 28). Such breaches may also lead to other measures described in Chapter 5.

2.1.3 Enforcement of Ethical Behaviour based on the EU Charter of Fundamental Rights

The EU Charter of Fundamental Rights enshrines the rights and freedoms of individuals within the European Union. It covers a broad spectrum of rights, including dignity, freedoms, equality, solidarity, citizens' rights, and justice. By aligning project management practices with these principles, the DEPLOYTOUR team can foster a culture of respect, equity, and ethical behaviour.

2.1.3.1 Dignity

Every individual has the right to be treated with dignity and respect. The principles should be applied during the project life span and in the subsequent organisations by implementing measures such as:

³ European Commission (2012): Charter of Fundamental Rights of the European Union (2012/C 326/02); see <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012P%2FTXT>

⁴ Council of Europe (1950): European Convention for the Protection of Human Rights and Fundamental Freedoms and its Supplementary Protocols; see <https://treaties.un.org/pages/showDetails.aspx?objid=080000028014a40b>

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- Zero tolerance for harassment and discrimination: Establish clear policies and procedures for addressing any form of harassment, including sexual harassment, bullying, and discrimination based on race, gender, nationality, or other characteristics.
- Confidential reporting mechanisms: Provide confidential channels for team members to report any incidents of disrespect or unethical behaviour without fear of retaliation.
- Cultural sensitivity training: Offer regular training sessions to raise awareness about cultural differences and promote mutual respect among team members.

2.1.3.2 Freedoms

Ensuring the fundamental freedoms of expression, thought, and association is crucial for a harmonious collaboration environment. Key measures include:

- Open communication: Encourage open and transparent communication channels where team members can freely express their ideas, concerns, and feedback. The obligation to adhere to this principle is already defined in the DEPLOYTOUR application form and is part of the GA.
- Diversity of thought: Promote a culture that values diverse perspectives and encourages creative problem-solving.
- Support for associations: Allow organisation members to form groups or associations to discuss common interests and collaborate on initiatives.

2.1.3.3 Equality

Equality is a cornerstone of a fair and respectful workplace. To promote equality in the project team, DEPLOYTOUR will advise its partners to adhere to the following principles:

- Equal Opportunities: Each partner must ensure that all team members have equal access to opportunities for growth, promotion, and professional development.
- Inclusive recruitment practices: Implement onboarding and hiring practices that promote diversity and prevent discrimination, which will follow national and European regulations.
- Pay equity: Pay equity is a common issue in this context. However, DEPLOYTOUR is not paying the individuals engaged in the project. Therefore, the team members have an obligation to ensure that all team members are paid fairly and equitably, but neither the project nor the coordinator will check this.

2.1.3.4 Solidarity

Solidarity involves fostering a sense of community and support within the team. Measures to promote solidarity include:

- Team-building activities: The DEPLOYTOUR coordinators, WP leader, and task leaders are committed to using meetings and events to strengthen relationships and build trust among team members.
- Supportive work environment: Partner organisations should create an environment for their employees that supports work-life balance and provides assistance to team members in times of need.
- Collective decision-making: As agreed and approved in the GA, all relevant roles will encourage collaborative decision-making processes that involve input from all team members.

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2.1.3.5 Citizens' Rights

Recognising and respecting the rights of individuals as citizens is crucial. Measures to uphold citizens' rights include:

- **Privacy and data protection:** Ensure that the personal data of team members is protected and handled in compliance with data protection regulations, especially when new techniques like Artificial Intelligence should be applied (see the following chapters of this charter).
- **Participation in decision-making:** Following the respective agreement in the GA, the project teams will provide opportunities for team members to participate in decisions that affect their work and the project.
- **Transparency:** Maintain transparency in all project-related processes and decisions.

2.1.3.6 Justice

Ensuring justice within the team involves creating fair and impartial processes. Key measures include:

- 3 **Fair conflict resolution:** As foreseen in the GA the DEPLOYTOUR coordinators will establish mechanisms for resolving conflicts fairly and impartially, ensuring that all parties have the opportunity to be heard.
- 4 **Ethical standards:** This charter will be released as a code of ethics that outlines acceptable behaviour and practices within the team, thereby providing a guideline for team members' responsibilities and accountabilities.
- 5 **Accountability:** Consequently, hold team members accountable for their actions and ensure that any breaches of ethical standards are addressed promptly and appropriately.

2.1.4 Specific Measures to Protect Fundamental Citizen Rights

Successfully implementing these measures requires a manifold approach. DEPLOYTOUR considers the following strategies:

- **Leadership commitment:** DEPLOYTOUR ensures that project leaders uphold these principles and set an example for the team.
- **Formalisation:** This Ethics Charter will be part of the DEPLOYTOUR rulebook, and the ethical aspects of single operative processes derived from it. After the end of the DEPLOYTOUR project, the charter will be handed over to the organisation that operates the ETDS.
- **External or temporary stakeholders** will be informed by appropriate communication means about DEPLOYTOUR's ethical principles and values, especially since DEPLOYTOUR guarantees inclusivity in all our workshops or events (for all genders, nationalities, etc.). They will be asked explicitly for their consent regarding their contributions, and they will be informed about their rights (e.g. to withdraw consent at any time)
- **Continuous training and development opportunities** will be provided to reinforce these principles and practices.
- **Regular assessments and surveys** will be conducted to gauge the team's adherence to these principles and identify areas for improvement.

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2.2 Compliant Processing of Personal Data

2.2.1 Introduction

As already mentioned in the previous chapter, the sovereignty of human beings regarding their personal data and the obligation of all parties which process these data to protect them appropriately is a fundamental right of EU citizens. With the EU Regulation 2016/679 “GDPR”), the European Community released already a comprehensive framework of requirements for data controllers⁵. In the context of DEPLOYTOUR, the project management team will therefore be responsible for the protection of the personal data processed for the purpose of project management, dissemination of information about the project, and various other interactions with external stakeholders, e.g. for training, surveys, and consultancy. On the other hand, project members will likely process personal data for developing their use cases, and some of them will be Data controllers in the sense of the GDPR. Since the GDPR exclusively assigns the responsibility for data processing to each data controller, the responsibilities for their respective data cannot be shared within the project. Therefore, each data controller must implement all necessary technical and organisational measures for data protection. However, being a community of common interests, formats of mutual consultancy and sharing best practices should be established within DEPLOYTOUR and later inherited by the following organisation, which will operate the final productive data-sharing ecosystem in tourism.

2.2.2 General Remarks

To foster the protection of personal data of all involved individuals, the project team commits to follow the obligations put on a data controller by the GDPR. Such commitment has been laid down in Article 15 of the GA:

15.2 Data processing by the beneficiaries

The beneficiaries must process personal data under the Agreement in compliance with the applicable EU, international and national law on data protection (in particular, Regulation 2016/67916).

They must ensure that personal data is:

- *processed lawfully, fairly and in a transparent manner in relation to the data subjects*
- *collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes*
- *adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed*
- *accurate and, where necessary, kept up to date*
- *kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the data is processed and*
- *processed in a manner that ensures appropriate security of the data.*

⁵ In Art 4 (7) GDPR, the data controller is defined as follows: “ ‘controller’ means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law; ”

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The beneficiaries may grant their personnel access to personal data only if it is strictly necessary for implementing, managing and monitoring the Agreement. The beneficiaries must ensure that the personnel is under a confidentiality obligation.

The beneficiaries must inform the persons whose data are transferred to the granting authority and provide them with the Portal Privacy Statement.

2.2.3 Specific Measures to achieve GDPR compliance

Adhering to these agreements, the DEPLOYTOUR team will execute the following activities in the case of the personal data being processed under the control of DEPLOYTOUR and for the purposes of the consortium. In addition, the project team will advise each associated data controller engaged in the use cases to perform similar tasks:

- Identify project related or use case-specific processing activities affecting personal data
- Document them in a register of processing activities (Art.5 (2), 30 GDPR)
- identify the legal basis for each activity or create the appropriate conditions for such a basis by closing contracts or asking for consent (Art. 6)
- Take technical and organisational measures to protect the data and to comply with the data subjects' rights. (Art. 25)
- Inform data subjects about the conditions of the processing, especially about the disclosure of the data to third parties, retention times of stored personal data, and their rights. (Art. 13, 14)
- Perform initial privacy impact assessments (PIA) on identified processing activities. If the PIA reveals that processing activities meet the criteria according to Art. 35 GDPR, a formal Data Protection Impact Assessment (DPIA) will be performed, accompanied by a prior consultation of the supervisory authorities, if appropriate (Art 36). This is likely to happen in the case of involvement of AI-supported applications (but see also the data quality and security requirements imposed by the AIA).
- Inform the data protection supervisory authorities about data breaches (Art 33), as well as the data subjects in the case of a high risk (Art 34)
- If external contractors should be engaged, which will have access to personal data ("data processors"), this should happen only according to Art 28 GDPR, using templates of standard contracts.

DEPLOYTOUR will take additional measures for data privacy and security:

- No data collected will be sold or used for purposes other than the current project.
- If employees of partner organisations are to be recruited, specific measures will be set to protect them from a breach of privacy/confidentiality and discrimination.
- For the normal implementation of project coordination, internal communication, and project communication and dissemination, specific consent will be requested in accordance with a privacy policy for the use of personal data, including aspects such as data use, access to data, retention date, and users' rights regarding their data.
- The project website will provide a privacy policy describing data protection for the services offered to web users (e.g., web account, newsletter subscription).
- To implement technical activities (development and validation...), any shared information made available between consortium partners (and their third parties), like background, results, confidential information, datasets, or any data or information, shall not include personal data.
- Each partner will ensure that personal data is removed, obfuscated, or made inaccessible from the shared information before providing it to any other partner. The

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provisions of Article 29 Working Group 05/2014 Opinion on Anonymisation Techniques will be considered.

The project will identify GDPR experts, who will act as DPOs, to consult the persons/teams responsible for PII processing activities about data privacy matters. Project members who are data controllers will be advised to assess whether they are obliged to engage their own internal DPOs.

According to Chapter 4 of the DEPLOYTOUR Consortium Agreement (see below), DEPLOYTOUR will offer a community of practice where members with data protection issues can discuss the requirements imposed by the GDPR and strategies for solutions or mitigations. External experts might be invited to support critical cases of common interest if appropriate.

CA DEPLOYTOUR chapter 4.4:

Where necessary, the Parties shall cooperate in order to enable one another to fulfil legal obligations arising under applicable data protection laws (the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and relevant national data protection law applicable to said Party) within the scope of the performance and administration of the Project and of this Consortium Agreement.

However, it must be pointed out that the GDPR assigns exclusive responsibility for GDPR compliance to the respective data controller. Any advice given by the project team, experts or communities of practice is non-binding and does not release the data controller from its responsibility.

The DEPLOYTOUR project team will fully cooperate with the relevant data protection authorities in the event of inquiries, investigations and audits.

2.3 Mitigating Ethical Risks in AI Applications for the Tourism Sector

2.3.1 Introduction

The integration of artificial intelligence (AI) in the tourism sector holds immense potential to enhance customer experiences and operational efficiency. However, it also brings significant ethical risks, particularly concerning participant protection, data confidentiality, and bias in AI algorithms. This chapter outlines the measures a project team can adopt to mitigate these ethical risks, drawing reference to relevant articles of the EU AI Act (AIA)

Addressing the ethical risks associated with artificial intelligence is essential for ensuring the responsible deployment of AI technologies. Adopting the measures proposed in the following sections and transforming them into concrete rules and procedures not only enhances the integrity of AI applications but also contributes to their long-term success and acceptance. By implementing measures for participant protection, data confidentiality, and bias mitigation, AI projects can uphold ethical standards and foster trust among stakeholders.

Therefore, the goal is to use AI to build reliable, trustworthy technology that adheres to all ethical standards. The use of AI can have broad societal impacts, raising complex ethical questions. While laws and regulations are emerging, organisations must create internal policies and practices to guide their AI efforts. The following sections summarise key AI ethics principles, which should be "translated" into a framework of internal procedures and rules to ensure ethical AI usage and provide resources, guidance, and tools to engineering teams.

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Doing this, the project team will also incorporate input from international standards on AI ethics, such as the OECD Principles and guidelines on Artificial Intelligence.

2.3.2 General remarks

The project team will not tolerate work on AI-based services that pursue objectives prohibited by Art.5 AIA. Unless some exemptions regarding public interest are applicable, this encompasses AI applications that influence human behaviour, that utilize real-time remote biometric identification (like facial recognition) in public areas, and those employed for social scoring, evaluating individuals based on their personal traits, economic and social status, or behaviour, for example.

Whenever the implementation of AI systems with potentially high risk, according to Art. 6 and 8 ff. AIA is planned for the data space governance authority or within the pilot use cases; the project team will take all measures to make them compliant with the requirements of Chapter 2 AIA, as outlined by Art. 16 AIA. Especially a conformity assessment, according to Art. 43 will be initiated.

As soon as harmonised standards, in accordance with Article 10 of Regulation (EU) No 1025/2012, covering all requirements set out in Section 2 of the AIA and, as applicable, covering obligations set out in Chapter V, Sections 2 and 3 of the AIA, are released, the project team will induce processes to adapt the technical and organizational settings of AI systems under its own control to those standards.

Concrete measures to mitigate the risks connected to AI, which will be identified and implemented during the DEPLOYTOUR project's lifetime, will be laid down in the DEPLOYTOUR rulebook and handed over to any organisation that will continue managing and operating the European Tourism Data Ecosystem.

DEPLOYTOUR commits to collaborating with the national notifying authorities or their notified conformity assessment bodies whenever required.

2.3.3 Specific Measures for Participant Protection

Protecting the rights and well-being of human stakeholders is paramount. The project team should implement the following procedures:

2.3.3.1 Informed Consent

DEPLOYTOUR ensures that the use case teams take measures to inform all persons affected by the AI applications about their objectives, processes, and potential impacts. Obtain explicit consent before involving them in data collection or AI-driven processes. These principles must be applied to test systems. (See Art. 60, 61 AIA)

2.3.3.2 Transparency and Explainability

Make AI systems transparent and their decision-making processes explainable to the end-users. This aligns with Article 13 of the EU AI Act, which mandates that users should be able to understand and challenge AI decisions.

Designers and operators need to thoroughly understand and articulate how the AI system functions and makes decisions. This includes explaining the logic behind the algorithms and the factors that influenced the algorithms' recommendations. This understanding can also help identify any potential issues related to performance, safety, privacy, biases, exclusionary practices, or unintended consequences.

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2.3.3.3 Risk Assessment and Management

Conduct thorough risk assessments to identify potential harms to participants. If appropriate, AI experts in the DEPLOYTOUR team, supported by external experts, will develop and implement risk management strategies to mitigate identified risks, as Article 9 of the EU AI Act requires.

2.3.3.4 Training and Awareness

Responding to Art 4 EU AI Act, the DEPLOYTOUR team will take measures to ensure a sufficient level of AI literacy of the staff and other persons dealing with the operation and use of AI systems, considering the context the AI systems are to be used in, and considering the persons or groups of persons on whom the AI systems are to be used.

2.3.3.5 Feedback Mechanisms

Establish channels where participants can provide feedback or report concerns about AI applications. Ensure that these mechanisms are accessible and responsive.

2.3.4 Specific Measures to ensure Data Confidentiality

Maintaining the confidentiality of participant data is crucial also in the context of AI applications. The following measures should be adopted:

2.3.4.1 Data Minimisation

Collect only the data necessary for the AI applications, in line with the principle of data minimisation under Art 5 (1), Lit (c) of the General Data Protection Regulation (GDPR).

2.3.4.2 Data Depersonalisation

A learning process is first required to implement an AI application. This requires large amounts of training data. Insofar as this training data can be related to a person, the scope of the GDPR applies. This, therefore, also applies to pseudonymised data. The use case teams are required to anonymise training data for the AI or to use only synthetic training data from the outset, i.e. the data does not originate from a productive system but was generated artificially by an algorithm. For depersonalisation, advanced encryption and anonymisation methods should be tested and selected. Potentially applicable privacy enhancing technologies (PET) are summarised in the DATES/DSFT Blueprint⁶. The anonymisation of previously personalised data must be documented. Suitable tests must verify successful anonymisation.

2.3.4.3 Unavoidable use of personalised training data

If personal data is unavoidable for AI training, all GDPR requirements must be complied with, in particular ensuring the legal basis for the use of the data for training purposes. Moreover, to minimise data exposure and ensure accountability, restrict access to personal data used to train AI implementations to authorised personnel only. Eventually, strong encryption methods will be implemented to protect data at rest and in transit.

2.3.4.4 Data Quality Assurance

Specific data quality metrics must be maintained to ensure the reliability of AI systems. Key parameters are accuracy (correctness of the used data), completeness (all presumed information is delivered), consistency (data delivery following standardised ontologies and

⁶ DATES/DSFT Blueprint, Chapter 5.5.2.7, p. 58 ff.

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formatting rules), and timeliness (information must be up to date). The appointment of Data Stewards should foster data quality assurance.

2.3.4.5 Regular Audits

Use Case teams, Data Stewards and/or DPOs might conduct regular audits, depending on the criticality of their AI applications, to ensure compliance with data protection regulations and to identify any potential vulnerabilities. The procedures to apply should be based on best practices and will be specified in detail in the rulebook.

2.3.4.6 External Service Providers

The decision whether to use an own AI system or that of a third-party provider must include ensuring all the above-mentioned quality and security standards; in the case of external commissioning, contracts must be concluded in accordance with Art. 26 and 28 GDPR and guarantees must be given that this third party will not misuse the training, input and/or output data unlawfully.

2.3.4.7 Possibility of Interventions

The design of AI applications, regardless of whether self-owned or contracted, must ensure that it is possible to intervene in the operation of an AI application in the sense that incorrect data can be corrected or erased, for example. In addition, decisions that have legal effect on individuals must not be made without mandatory human control.

2.3.5 Specific Measures for Bias Avoidance in AI Algorithms

Bias in AI algorithms can lead to unfair and discriminatory outcomes. The project team will support the use case teams to mitigate bias. Internal expert groups, supported by advice from external stakeholders, will facilitate the identification and implementation of efficient measures to govern this challenge. The policies, procedures and prescriptions created in this context will be part of the DEPLOYTOUR Rulebook. They will be handed over to the entity which will administer and operate the ETDS after the project has ended. In particular, the implementation of the following requirements will be fostered.

2.3.5.1 Inclusive Design

Involve stakeholders from diverse backgrounds in designing and developing AI applications and selecting and testing appropriate training data. This ensures that different perspectives are considered, reducing the likelihood of biased outcomes.

2.3.5.2 Diverse Data Collection

To reduce the risk of biased outcomes, the project team will support the use case teams in identifying policies and procedures to ensure that the data used in use cases to train AI models is diverse and representative of all relevant demographics.

2.3.5.3 Bias Detection and Correction

Use case teams must continuously test their AI algorithms for bias and implement corrective measures if any biases are detected. Depending on the criticality of the data used, such tests could be associated with independent third-party audits and/or algorithmic assessment tools that analyse the fairness and performance of AI systems. This aligns with Article 10 of the EU AI Act, which requires bias monitoring and mitigation.

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2.3.5.4 Fairness Metrics

Use case teams should establish and use fairness metrics to evaluate the performance of AI systems. Again, the retrieval of fairness assessment metrics should also be supported by utilising AI fairness toolkits, such as the open-source tool Fairlearn. Such metrics should be integral to the AI model development and should later be taken over in production.

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