

press release

50 years of data protection in Hesse

13.10.2020

The statement that central impetus for data protection came from the state of Hesse is not intended as self-praise, but as a simple statement. This applies to the term "data protection" as well as to the implementation of the requirements of the Federal Constitutional Court and Union law. Hesse also introduced the institution of the data protection officer and managed to link data protection and freedom of information. All of this justifies not only celebrating the 50th birthday of Hessian data protection as a nostalgic day of remembrance. Of course he is too.

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50 years ago - on October 13, 1970 - the Hessian data protection law came into force as the first data protection law in the world. There was no precedent for this law. The far-sightedness possessed by the initiators of this law was all the more remarkable, above all the head of the Hessian State Chancellery at the time, Willi Birkelbach, who had drawn up the draft of this law. He recognized that the power of the state and large organizations was increasing with the new information technology and that new forms of totalitarian rule were emerging that could threaten the freedom of the individual. He was convinced that legal rules and public scrutiny were imperative to ward off these dangers. During the deliberations on the law in the state parliament, the deputies came to the conclusion that this control could only be exercised by an autonomous and independent body. As early as 1970, the institution of the independent data protection officer responsible only to parliament was created. According to the current data protection officer, Prof. Dr. It was logical for Michael Ronellenfitsch that the Hessian state parliament elected Willi Birkelbach as the first data protection officer in Hesse at the suggestion of Prime Minister Albert Osswald and the state government at the time. Basically, it was a question of self-regulation that had grown out of the administration. After that, external control was carried out by competent, independent personalities, namely from the university sector, and data protection supervision was extended to the private sector. This corresponds to Union law, but also according to national constitutional law, independent data protection supervision has become an indispensable pillar of the federal constitutional state. You can praise or blame that, but there's no denying it. This was followed by Prof. Dr. Spiros Simitis, who held this position for 16 years, Prof. Dr. Winfried Hassemer, Prof. Dr. Rainer Hamm and Prof. Dr. Friedrich von Zeitzschwitz.

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