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Results of the 96th Data Protection Conference - Stop E-Evidence Regulation! - Orientation guide "Direct

advertising" Under the chairmanship of the state commissioner for data protection and freedom of information North

Rhine-Westphalia, Helga Block, the data protection conference on 7./8. November 2018 in Munster.

Among other things, the EU Commission's proposal for a so-called e-evidence regulation and the processing of personal data for direct advertising purposes were discussed. The data protection conference has positioned itself as follows on these topics:

Stop the E-Evidence Regulation! Protect the rights of data subjects, do not worsen data retentionThe data protection

conference appeals to all those involved in the legislative process to stop the EU Commission's proposal for an e-evidence

regulation. With its proposal for an e-evidence regulation, the EU Commission wants an alternative to the formal legal

assistance procedure create and enable the investigating authorities faster access to communication data. The law

enforcement authorities of the EU member states are to be given the power to immediately oblige providers of

telecommunications and internet services in other member states of the EU and also in countries outside the EU (third

countries) to hand over inventory, access, transaction and content data companies based in Germany could be obliged to

hand over data to investigative authorities in other EU member states, even though the crime being prosecuted is not a

criminal offense in Germany. This could be, for example, an abortion that is permitted in Germany or a political expression of

opinion if this is punishable by law in the requesting state. It is also to be feared that third countries will use the EU regulations

as a blueprint for their own regulations. Those affected only have a legal remedy, if at all, in the requesting member state,

whose legal system is usually foreign to them. The problem of the so-called "Data retention" of telecommunications data is

significantly intensified when foreign law enforcement authorities gain direct access to such information. Guidance on the

processing of personal data for direct advertising purposes With the General Data Protection Regulation, the previous data

protection regulations for direct advertising are no longer applicable. The data protection conference explains in an orientation

guide how the basic data protection regulation for direct mail is to be understood. The data protection conference is the

coalition of the independent data protection authorities of the federal and state governments. The 96th conference took place

on November 7th and 8th in Münster. The chair, which changes every year, organizes the meetings of the data protection

conference and represents the conference externally.

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