

Monday, August 5th, 2019 2: Press releases Summer, sun, beach and sea – attention: video surveillance! Video surveillance is a long-running issue at the Independent State Center for Data Protection Schleswig-Holstein (ULD). The complaints increase especially in the summer. Most of the time it's about cameras that take in too much insight and sometimes even record the most intimate details, e.g. B. in toilets or other sanitary facilities. In such extreme cases, detected cameras must be switched off immediately. In other areas, the operator can use a suitable configuration of the cameras to ensure that deep intrusions into privacy or intimate spheres are avoided. Marit Hansen, the Schleswig-Holstein State Commissioner for Data Protection, describes it as follows: "In summer we get a particularly large number of complaints when holidaymakers or locals want to have a nice time and then suddenly discover video cameras and realize that they are being watched: That ranges from webcams to greeting cameras to video surveillance in hotels or campsites, where we have even found cameras in toilet rooms." Webcams are useful if you want to get an impression of the potential next holiday destination in real time. However, when people look at the webcam and realize that anyone with Internet access can watch them sunbathing or changing their clothes on the beach, many are no longer enthusiastic and complain to the ULD. In order to avoid such a scenario, it is often enough for the webcam operator to change the settings. It is often sufficient to change the viewing angle of the webcam or to blur the foreground, in which people can be recognised. Switching off is not necessary in many cases. Data protection and tourism can be reconciled: Webcams can be operated in a way that is conducive to tourism, without infringing on personal rights. A special type of webcam are so-called greeting cameras. These offer the opportunity to consciously move into the focus of the recording area of a webcam and to greet the family at home, for example by waving. With such cameras, it is important that they are not located in transit areas and do not publish images of people on a homepage without their action and knowledge. In some areas nobody expects surveillance - for example in toilets and other sanitary rooms. Who likes being filmed while going to the toilet? And yet there were several reports from video cameras in these sensitive areas in the summer of 2019. Hansen has seen images of such recordings: "In one case, the cameras captured sinks and urinals. Apparently, the people who were there were not aware that the images were transmitted to a monitor in real time, where they could also have been viewed by passing customers and ultimately remained on a data carrier for several days in order to be evaluated in detail if necessary will. It wasn't just putting on make-up in front of the mirror, brushing your teeth or cleaning your teeth that was affected, but also going to the toilet itself. The people were recognizable and the cameras sometimes had an unobstructed view of their private parts. It was possible to film right into the toilet cubicles, and the use of the urinals in the men's toilets was

also clearly visible.” Operators' concerns about vandalism or dirty toilets are not convincing reasons why such invasive video surveillance should be necessary. Even with a meaningful sign indicating video surveillance, the toilet areas would have been taboo for camera use. The consequence of Hansen's testing team: The video cameras in the toilet rooms not only have to be switched off, they have to be dismantled immediately. Hansen comments: “Video surveillance is not permitted in intimate areas such as toilets, showers, sauna areas and changing rooms. It doesn't help if a camera manufacturer or a service provider assures that their offer is data protection compliant. The operator is responsible here.” The ULD provides brochures on video surveillance and webcams: <https://www.datenschutzzentrum.de/uploads/praxisreihe/Praxisreihe-5-Videoueberwachung.pdf>
<https://www.datenschutzzentrum.de/uploads/praxisreihe/Praxisreihe-6-fotos-und-webcams.pdf> If you have any questions, please contact: The State Commissioner for Data Protection Schleswig-Holstein

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