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BfDI criticizes source TKÜ for intelligence services

The Federal Commissioner for Data Protection and Freedom of Information (BfDI) Professor Ulrich Kelber criticizes the federal government's plans to enable the intelligence services to monitor messengers.

The existing legal situation is not ready for the introduction of such massive encroachments on privacy: "The courts have shown a clear need for reform of the laws of the intelligence services. Instead of tackling these urgent reforms, new monitoring options are now to be created. I call again for a moratorium on safety laws and an independent scientific analysis of existing laws."

The BfDI sees several shortcomings in the current draft law. For example, the law does not clearly define the scope of information collection. As a result, there is a risk that the source telecommunications surveillance (source TKÜ) will become an "online search" that is not actually supposed to be introduced. In addition, the requirements for implementation largely correspond to those of the powers for source TKÜ in the police sector. According to the BfDI, this violates the constitutional separation requirement between police authorities and intelligence services: "There is a risk that the extent of state surveillance in practical application exceeds what is tolerable for a democracy."

In this context, the BfDI is preparing its detailed statement on the draft law for the German Bundestag. The statement will be published on the homepage as soon as possible.

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public bodies

The term public body not only includes the traditional administrative authorities, but also courts, parliaments and public foundations. This also includes social insurance, such as health insurance.

company

Private companies are mostly supervised by state authorities, but there are some exceptions. Private organizations such as clubs and associations also fall into this category.

Press, radio, church

Special responsibilities apply in these areas. Churches and public broadcasters have e.g. B. via their own data protection officers. The federal and state supervisory authorities are not responsible for other organizations either.