

Bonn, April 4, 2022

Press release 5/2022

BfDI presents consultation report on AI

The Federal Commissioner for Data Protection and Freedom of Information (BfDI) publishes the results of the consultation process on the use of artificial intelligence (AI) in the field of law enforcement and security.

Source: Adobe Stock

The BfDI, Professor Ulrich Kelber, said: AI is being used without fundamental legal questions being answered. The legislature should now make the necessary decisions in a timely manner.

In September 2021, the BfDI presented seven basic theses on the use of AI in the field of law enforcement and security. The comments received have now been evaluated in the consultation report. It shows that a comprehensive, empirical and interdisciplinary inventory by the legislature is necessary. When using AI, general data protection principles must be observed and guaranteed. The use of AI in the security sector usually requires a specific legal regulation, whereby the specific characteristics of the AI technology used in the individual case are decisive for the design of this regulation.

From the point of view of the BfDI, special attention should be paid to the explainability of AI. The protection of the core area of private life must not be diluted by the use of AI by security authorities. It must therefore be possible for AI applications to be comprehensively controlled by the data protection supervisory authorities. Last but not least, there must be a comprehensive data protection impact assessment before AI is used. As a conclusion, BfDI Kelber states: Insofar as personal data is processed with AI, the legislator in the federal and state governments is already called upon to take action due to their fundamental rights to protect. This requires a comprehensive public debate. Our consultation process aims to be a step in this direction.

We have compiled the detailed results of the consultation process and the contributions of the consultation participants for you in the "The BfDI" section.

contact finder

Here you can find out in just a few clicks who is responsible for your inquiry or complaint about data protection.

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.