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Drawing lessons from the Corona crisis: Berlin needs digital independence

modern communication offers

The Corona crisis has made it clear that, above all, in the public sector

Administration still largely on the use of secure and fundamental rights-friendly digital

Means of communication such as messenger services and video conference systems are missing. The

Berlin Commissioner for Data Protection and Freedom of Information, Maja Smoltczyk, points this out

point out that the experiences made in this exceptional situation must lead to

is now fully committed to the digital independence of public administration

advanced by modern means of communication.

The precautionary measures to contain the corona pandemic have in almost all

areas of daily life to restrictions and changes to usual processes

guided. For large parts of the population, this also included extensive work and

Learning from home. This was and is also true for public institutions in the fulfillment

their tasks. In order to ensure the operation, the lack of recognizable

Alternatives all too often resort to services and software that are insecure and

are not acceptable under data protection law.

This may be in a time of extremely accelerated and sometimes rushed times

Digitization of work and school should be understandable due to an exceptional situation.

However, the current exceptional situation must not lead to the perpetuation of use

dubious services and a reduction in data protection standards in the

lead future.

Where the urgency of the measures to be taken currently prevent the protection of

personal data could not be considered to the necessary extent, must therefore

now continuously improved. Should data protection imponderables or even
Deficiencies occur, these must be rectified immediately. Those responsible are asked to
short-term solutions that do not comply with data protection requirements as soon as possible
to replace privacy-friendly ones. In the public sector are here in a special way
Central administrations are responsible, centrally for appropriate data protection
to provide offers.

Schools, specialist administrations and other public institutions also in this
must fulfill their core tasks in a time of crisis, are allowed to make the urgently needed changeover
are not left to their own devices when it comes to data protection-compliant solutions. From messenger services
to video conferencing and e-learning tools, the Senate should ensure that

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data protection-compliant, user-friendly and secure means of communication
are available, which any public body can access if necessary.

The current situation should also be seen as an opportunity given working methods
to redesign the experience gained during the Corona crisis from scratch
and to use the possibilities of digital technology in a data protection-compliant manner right from the start.

Berlin is on the way to becoming the e-government capital. Which also includes
also the design of the technology required for modern administration
data protection-compliant form (privacy by design). Especially in administration it is possible and

desirable that corresponding services themselves with the help of the respective IT service provider of the country are operated. Video conferencing services e.g. B. could from the outset be made privacy compliant so that they are available when needed and immediately can be used without having to make legal compromises.

The existing data protection rules are not an end in themselves, but serve this purpose protection of the fundamental rights of those affected. Especially when it comes to school children, Workers or people who are employed by state are dependent on performance, it cannot - as occasionally requested these days - the be a solution to lower the level of data protection. Because those affected can in these cases not free to choose whether or not to use these little services with their personal information tangible providers want to make available or not, without knowing what's going on with their data ultimately happens. Therefore, it must now be more a matter of getting all the necessary Make efforts to create a sustainable and privacy-friendly infrastructure for create modern communication. It would have to be checked whether these solutions also non-profit organizations could be made available, given the face the same challenges in the current situation.

Maja Smoltczyk

"The demand of the data protection authorities, platforms and offers that protect the fundamental rights of the People respect, promote or provide themselves, has been in Germany for years not given due attention. In the current crisis, this is falling on our feet. In the range of Communication tools are largely left to the public bodies themselves. The can not be. Now more than ever, politicians are called upon to ensure the digital independence of the promote public service. I welcome the first steps that the state of Berlin is taking the provision of communication and collaboration services recently has undertaken. My authority is very happy to take part in the examination of such offers, to support rapid deployment for as many use cases as possible. It is

not too late to catch up on what you have missed, because a data protection compliant and data secure

Communication will still be important when this crisis is over.”