

State election: Data protection officer calls on parties to handle voter data with care

With political campaigns, the parties and political associations strive for votes in the election campaign. Addressing potential voters as precisely as possible is part of political campaigns in a vibrant democracy. The provisions of the General Data Protection Regulation apply to the various instruments used by parties and voter associations. The Brandenburg Data Protection Officer, Dagmar Hartge, points out their importance for the forthcoming state elections:

Lawful processing of personal data is essential for a fair election campaign. Only if the parties treat the privacy of their voters with respect will they place the trust in the candidates – but also in the elections themselves – that is so necessary in a democracy.

When using personal data, the parties and candidates must ensure transparency, earmarking, proportionality and secure but temporary storage and use of the data. You must inform the data subjects of their rights and document how the processing takes account of the principles of data protection. This also applies to the data of those eligible to vote (e.g. name and address) that were transmitted to the parties by way of information from the population register. The registration authorities are authorized to provide such information, provided the persons concerned have not objected. According to the Federal Registration Act, the parties are obliged to delete this data no later than one month after the election. If they have received contact data in a different way and for other purposes (e.g. as club members or parent representatives), it should be noted that this may not be used for election campaigns without the consent of the person concerned.

In doorstep election campaigns, it is entirely sufficient not to record household or property-specific information, but only to record larger streets or residential areas. If social networks are to be integrated, data protection speaks in favor of dispensing with personalized election advertising in favor of addressing the largest possible groups of recipients selected according to specific criteria. Caution is advised when engaging data analysis companies, especially if they offer algorithms to enable the parties to target social network users or otherwise use data for profiling. In particular, the use of personal data revealing political opinions is only permitted if the data subjects have given their consent - unless they themselves have previously made the information public.

The State Commissioner is happy to offer her advice to parties, political associations and candidates who want to ensure that their campaigns take sufficient account of the right to data protection.

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