

Bonn, December 14, 2022

Press release 13/2022

EDPB calls for implementation of PNR Directive ruling

The European Data Protection Board (EDPB) has called on EU member states to implement the PNR ruling of the European Court of Justice (ECJ) without delay in order to protect the fundamental rights of citizens. The BfDI, Professor Ulrich Kelber fully supports this demand. According to the judgment of the ECJ, Germany should quickly adapt the passenger data law.

Source: ©chinnarach - stock.adobe.com

The BfDI said: "In June, the ECJ decided that the directive on so-called passenger name records or PNR data is still valid, but must be interpreted much more restrictively in the future. To the best of my knowledge, nothing has changed in Germany or in many Member States since this landmark judgement. My authority has been pointing out to the legislator for years that there is a considerable need for improvement in the national implementation. That is why my authority played a leading role in the EDPB's joint statement."

The German Air Passenger Data Act does not currently comply with all the requirements of the ECJ. For example, all data is collected from passengers on flights within the EU. In 2021, a total of 73 million passengers were transported in Germany, more than 40 million of them on so-called intra-EU flights, the general inclusion of which the ECJ found fundamentally inadmissible. In addition, passenger data is stored for a period of five years. The processing purposes do not justify these long storage periods. The measures to be taken immediately to protect fundamental rights should also include the processing of passenger data by the responsible bodies, such as the central passenger data office at the Federal Criminal Police Office. The BfDI's statement on the 2017 Air Passenger Data Act has therefore lost none of its topicality.

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.

Pursue

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.