

## PRESS RELEASE

Berlin, April 8th, 2022

Berlin data protection officer informs senate administrations on the use of

Facebook Pages

Facebook pages must be shut down if the operators are not using theirs

Be able to demonstrate compliance with data protection law. This is according to a new report by

Data Protection Conference, about which the Berlin Commissioner for Data Protection and

Freedom of Information (BlnBDI) informed the senate administrations.

Volker Brozio, Acting Head of the BlnBDI: "Facebook pages can currently

do not operate in accordance with data protection regulations. European and German come to this conclusion

Courts and a new report by the German data protection authorities. The Senate Administrations

should deactivate their Facebook pages if they do not comply with data protection law

can ensure. As public bodies, they have a special responsibility and a

Role model function."

The European Court of Justice (ECJ) had already ruled in 2018 that operators

of Facebook Pages (formerly "Fan Pages") together with Facebook under data protection law

are responsible. As a result, operators must ensure the legality of the jointly

can guarantee and prove responsible data processing. That with this ECJ

Judgment-related German proceedings before the Higher Administrative Court of Schleswig are dismissed with a judgment

dated 25.

November 2021 legally decided and completed (Az. 4 LB 20/13). According to the

The OVG confirmed the requirements of the ECJ and the Federal Administrative Court

Deactivation of a Facebook page.

Taking into account the current case law and the regulations in the new

Telecommunications Telemedia Data Protection Act (TTDSG) has the "Task Force Fanpages" of

Conference of the independent federal and state data protection supervisory authorities

(Data Protection Conference) prepared an expert opinion on Facebook pages.

Berlin Commissioner for Data Protection

and Freedom of Information (BlnBDI)

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The report comes to the conclusion that the processing of personal data in

Connection with Facebook pages in their current design has no legal basis. This

has consequences for operators of Facebook pages: if they ensure compliance with data protection law of their

If you cannot prove Facebook usage, you must stop operating the Facebook page.

Due to their role model function, the focus here is initially on the public authorities. The Berliners

Data protection officers already had administrative proceedings against the Berlin Senate administration in 2018

and other jobs started. In the course of these proceedings, some violations of the law

Operation of Facebook pages will be turned off. However, serious shortcomings remain. Before

After taking further steps, the Berlin data protection officer has now concluded

pending legal proceedings and the result of the joint examination of the data protection conference  
waited.

According to a resolution at the 103rd Data Protection Conference, the Berlin Commissioner for

Data protection and freedom of information the senate administrations now about the new report

inform and work to ensure that the Facebook pages are deactivated, insofar as the

Senate administrations their obligation to prove the compliance of their Facebook

Page cannot fulfill.

Left:

Resolution of the data protection conference on the task force Facebook fan pages

Short report on the data protection conformity of the operation of Facebook fan pages

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