

Press release from the State Commissioner for Data Protection and Freedom of Information Mecklenburg-West Pomerania

State Commissioner for Data Protection and Freedom of Information Mecklenburg-West Pomerania presents new activity reports

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The State Commissioner for Data Protection and Freedom of Information (LfDI M-V) today presented its activity report on data protection for 2021 and the report on the implementation of the Mecklenburg-Western Pomeranian Freedom of Information Act (IFG M-V) for the period 2020-2021. Also in the years 2020/21, the topics and complaints at the LfDI M-V were shaped by the corona pandemic. This included the continuous monitoring of data protection issues in the measures taken by the state government to contain the pandemic. At the same time, the problems, questions and complaints that arose in practice were dealt with.

Data protection competence is an indispensable key qualification in the 21st century

In the reporting period on data protection activities, the authority imposed 74 measures, such as warnings, orders to suspend processing operations and other measures in accordance with Article 58 (2) GDPR. In the previous year, this number was 105 measures. Here it becomes clear that the LfDI M-V still sees the focus of its activities in advice and support - and less in taking repressive measures. A total of 13 fines were threatened. However, no fines had to be imposed, as the desired effect was achieved in all cases. Compared to 2020, the reports of "breaches of the protection of personal data" (Art. 33 DS-GVO), so-called data breaches, have increased from 173 to 259. Among other things, it becomes clear how important it is to protect the technical systems in business, in municipalities and public institutions from cyber attacks. The number of submissions and complaints fell from 790 to 497, of which 398 have been finally processed. In this context, too, the strongly advisory character of the LfDI M-V is noticeable. The number of consultations requested by Parliament and the Government increased from 66 to

87 in the reporting period, due in large part to the coronavirus pandemic. In addition, ten independent audits and investigations were carried out in 2021; compared to the previous year (five), the number has doubled.

The corona pandemic has made the topic of digitization much more important. This affects different areas, for example IT attacks on public administration and companies. In particular, the number of criminally implemented encryptions of personal data by so-called ransomware is constantly increasing. Likewise, reports of security gaps in software systems that lead to data leaks have increased. There have been few, but very significant cases. However, these are only the known cases. A much higher number of unreported cases must be assumed. Both the increased security threat to technical systems and the dependence on large individual providers who do not follow the data protection principles of the GDPR show the need for a strategy for digital sovereignty. This means that politics and administration, as well as business, must enable citizens to design programs and applications in such a way that everyone can move independently in our digital society.

For this reason, the LfDI M-V has been advising the planned introduction of the electronic file (eAkte) in the authorities of Mecklenburg-Western Pomerania since 2016. In 2021, the tender for the new electronic file was successfully carried out by the state government. From our point of view, it should be positively emphasized that the recommendations of the LfDI M-V regarding platform-independent software with open standards and interfaces were taken into account. The new planned eAkte thus allows the use of open source operating system and software applications. This is essential, especially in view of the digital sovereignty that is being striven for throughout Germany.

In order to be able to navigate the web independently, digital skills are essential. In 2021 it was again possible to carry out the projects of the LfDI M-V for teaching media competence and data protection awareness, media security and information competence. Because children and young people in particular need this knowledge in order to be able to move independently, confidently and responsibly in the digital society. The nationwide respected Medienscouts M-V project has been playing an important role for almost 10 years now.

For Heinz Müller, the state representative for data protection and freedom of information M-V, one thing is certain: "Data protection awareness and the right to protection of personal data are compatible with the ongoing digitization of the living and working world. This is reflected in our daily work."

Freedom of information is transparency for citizens

In the report on the implementation of the IFG M-V (period 2020 - 2021) topics related to the corona pandemic are also

characteristic. From inquiries about the Luca app to learning platforms, 13% of all written inquiries related to the corona pandemic in the reporting period. Overall, the LfDI M-V was asked for extrajudicial review in 152 cases. In addition, telephone consultations were held almost daily with bodies responsible for providing information and applicants.

The law regulating access to information for the state of Mecklenburg-Western Pomerania (Freedom of Information Act – IFG M-V) came into force on July 29, 2006 and has been amended twice so far. In the meantime, however, it is time to further develop the IFG M-V into a modern transparency law. The LfDI M-V welcomes the goal of the state government (item 506 coalition agreement 2021 - 2026) to evaluate and expand the IFG M-V.

"We are happy to be involved in the forthcoming evaluation and modernization process in order to contribute our many years of experience in the area of freedom of information," concludes Heinz Müller.

Activity report on data protection for the year 2021 and the report on the implementation of the Mecklenburg-Western Pomeranian Freedom of Information Act (IFG M-V) for the period 2020-2021 .pdf

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