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BfDI criticizes the Council's position on the ePrivacy Regulation

The Federal Commissioner for Data Protection and Freedom of Information (BfDI), Professor Ulrich Kelber, sees clear errors in the version of the ePrivacy Regulation adopted today by the EU Council: if the ePrivacy Regulation remains as the EU Council decided on it today, that would be a serious blow to data protection. I urgently appeal to the European Parliament and the EU Commission to advocate an increase in the level of data protection during the trilogue negotiations.

The BfDI clearly names the greatest dangers that currently emanate from the ePrivacy regulation: The regulation provides for the reintroduction of data retention, which has already failed in so many courts. There would also be regression with the rules on the Internet, because the regulation would allow so-called "cookie walls". Some important guarantees for users, such as the right to object and the data protection impact assessment, have also been removed. Recourse to the guarantees of the General Data Protection Regulation is also excluded. Last but not least, this version of the ePrivacy Regulation enables personal data to be processed for other purposes without the consent of the user. It stuns me how severely the fundamental rights of European citizens are being encroached upon here.

If there are no significant improvements to the regulation during the trilogue negotiations, several red lines would be crossed simultaneously in the area of data protection. The member states of the European Union have been working for four years to get the ePrivacy Regulation off the ground. The European Parliament, on the other hand, had already decided on its negotiating position nine months after the EU Commission presented the draft regulation. An agreement on common rules is overdue. The BfDI will work nationally and at European level to ensure that the pressure to produce results does not lead to a weakening of the level of data protection.

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.

company

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.