

From license plate recognition to artificial intelligence - results of the 98th conference of the independent data protection supervisory authorities of the federal and state governments

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At its 98th meeting on November 6th and 7th, 2019 in Trier, the conference of the independent data protection supervisory authorities of the federal and state governments (DSK) passed a series of resolutions and resolutions. The spectrum of topics ranged from criticism of a mass automated recording of vehicle license plates to the risks of digitization in the healthcare sector to recommendations for the data protection-compliant use of artificial intelligence.

Recommendations for a data protection-compliant design of AI systems On the basis of the Hambach Declaration of April 3, 2019, the DSK has developed requirements for AI systems in a position paper, the implementation of which it recommends for a data protection-compliant design of AI systems. The DSK is also presenting this position paper in order to further intensify the dialogue with the relevant actors from politics, business, science and society, such as the consumer associations, on this basis.

Mass automated registration of license plates

For some time now, automated number plate recognition systems, which are actually set up for police hazard prevention, have also been used for criminal prosecution purposes. In a resolution, the DSK criticizes that an expansion of the group of those affected cannot be justified by any facts and cannot be justified.

Digitization in healthcare

In view of the advancing digitization of the healthcare system, the DSK requires that patient data in medical facilities of all sizes be protected using state-of-the-art technology. Health websites and apps must also meet their users' expectations of confidentiality and comply with certain requirements when sharing personal data. For the use of messenger services in the

hospital sector, technical requirements were compiled in a "white paper" that should serve as the basis for further discussions with the relevant associations (DKG, VKD, KH-IT, BÄK, bvitg).

Standard Privacy Model

With version 2.0, the DSK has adopted a fundamentally revised version of the standard data protection model (SDM). With the SDM, the DSK provides a tool that supports the risk-adequate selection and legal assessment of the technical and organizational measures required by the GDPR. In its press release, the DSK recommends those responsible in business and administration to use the SDM when planning, introducing and operating personal processing and to inform the data protection supervisory authorities of their experiences.

Windows operating system and application solutions

In order to give those responsible an opportunity to evaluate data protection-related issues in connection with the use of the Windows 10 operating system, the transmission of telemetry data and the update configuration, the DSK has published a test scheme.

In connection with the automated transmission of so-called telemetry data for Windows operating system and application solutions, the conference subsequently held high-level discussions with representatives from Microsoft. The aim is to reduce the personal reference of usage data or to allow users to decide whether to transfer it.

Further development of the GDPR and cooperation with European supervisory authorities

The DSK has decided on a field report on the application of the General Data Protection Regulation, which is intended to contribute to the preparation of a report at European level. The conference decided on various internal procedural rules to improve coordination and cooperation with the European Supervisory Authorities.

The state commissioner for data protection and freedom of information in Rhineland-Palatinate, Prof. Dr. Dieter Kugelmann drew the following conclusion from this year's Rhineland-Palatinate presidency of the Data Protection Conference: "The extensive agendas of the 98th Data Protection Conference and the previous ones show once again that the ongoing digitization raises data protection issues in almost all areas of life. The data protection officers are faced with the challenge of recognizing relevant developments at an early stage and introducing data protection in such a way that risks are countered and opportunities are not missed. I am therefore pleased that in the year of the Rhineland-Palatinate presidency of the conference, it was possible to develop appropriate recommendations for the future topic "Artificial Intelligence".

The DSK resolutions and resolutions mentioned are available for download at

https://www.datenschutz-mv.de/datenschutz/publikationen/entschlussungen_2020_2011/.

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