

Checklist for conducting video conferencing during

the contact restrictions

For conducting data protection-compliant virtual conferences

we recommend companies, government agencies and other organizations, such as

follows to proceed. Check it,

1. Whether telephone conferences are sufficient instead of video conferences

in order to achieve the desired coordination among

to bring. These can be much more easily privacy compliant

be performed.

2. whether it is possible for you with reasonable effort to

Generic service in source code with publicly available (open source)

or commercially available software. Make sure

making sure that the software used does not contain any data about your

Employees or their communication partners to the

transmitted to the manufacturer for his own purposes or for the purposes of third parties.

3. whether one of the solutions of a provider with headquarters and processing

location, in particular server location, in the European Economic

region (EEA) or from a country with equivalent data protection

level ([https://ec.europa.eu/info/law/law-topic/data-](https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/adequacy-decisions_en)

[protection/international-dimension-data-protection/adequacy-decisi-](https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/adequacy-decisions_en)

[ons_en](https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/adequacy-decisions_en)) suits your needs.

Also check whether the provider

a) it can be expected that he will only use the data within the permissible framework

processed and in particular not contrary to European

Data protection law to third parties - including foreign authorities

hear – pass on,

b) adequate data security (e.g. through certification

tion) can prove and

c) guarantees you the encryption of the data transmission.

If the test is positive, then

d) close a proper order processing

contract with the provider,

and make sure the operator

e) No information about your employees and their communications

cation or using the software for your own purposes

cke or purposes of third parties processed as well

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f) Subcontractors with processing location, in particular

Server location, outside the EU/EEA for the provision

provision of the video conferencing service only if the

data export the requirements of Chapter V of the data

basic protection regulation fulfilled.

Please note that the decision of the EU Commission to

Equivalence of the level of data protection in the USA

finally extends to organizations that are self-certified

at the US Department of Commerce for compliance with the principles

have committed to the provisions of the Privacy Shield. Certification must

also extend to personnel data (HR). You check this

by inspecting the US Department of Commerce list at

<https://www.privacyshield.gov/list>.

4. If you use a provider with a processing location outside of

EU/EEA or a country with an equivalent level of data protection

or a non-Privacy Shield for processing

authorized providers in the USA for the processing of

If you want to meet the conditions under Section 3. a) – c)

and e) and conclude with him to fulfill the condition in clause 3.

d) a contract in accordance with those approved by the EU Commission

Standard Contractual Clauses ([https://eur-lex.europa.eu/legal-](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32010D0087)

[content/EN/TXT/?uri=CELEX%3A32010D0087](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32010D0087)). A restriction

effect of these clauses through other agreements

gene is not allowed. This applies to any kind of additional conditions

Conditions and restrictions for the obligations and rights from the

Standard Contractual Clauses.

Fulfillment of Sections 3. a) to 3. f) and, if applicable, Section 4 or, in the case of this, automatically operated solutions, clause 2 sentence 2 is usually a mandatory prerequisite for the legality of the use of the respective solution.

We would like to point out that some widely used providers for re-deadline (July 3, 2020) did not meet all legality requirements fulfil, including Blizz, Cisco WebEx, Cisco WebEx over Telekom, Google Meet, GoToMeeting, Microsoft Teams, Skype, Skype for Business online and zoom. With NETWAYS Web Services Jitsi, secure-video-konferenz.de, TixeoCloud, Werk21 BigBlueButton and Wire are all

However, alternatives are available that meet the data protection requirements to fill.

For a detailed assessment, we refer to our "Notes for liner responsible for providers of video conferencing services", the regular moderately updated and the data available at <https://www.datenschutz-berlin.de/infothek-und-service/themen-a-bis-z/corona-Pandemic.html>

are. If the provider you are considering is not in this be included in the list, to facilitate your check, you will find website also referred to our "Recommendations for Auditing contract processing contracts from providers of video conferencing services", the certain frequently observed deficiencies in order processing contracts.

Non-privacy-compliant solutions that result from the introduction of the contact restrictions were implemented by your institution at short notice, should be replaced or improved as soon as possible so that they comply with data protection requirements.

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