

THE STATE COMMISSIONER FOR DATA PROTECTION AND FREEDOM OF INFORMATION

PRESS RELEASE

July 14, 2020

Suspend facial recognition in Europe!

"We need a social debate about critical tech

nologies"

Whether Clearview AI, PimEyes or FindFace – technical ones are emerging all over the world

Applications that use modern facial recognition on a large scale – and with it

remove our anonymity in public space. identification of demonstrators

ants, background research on new employees or spying

of the new swarm – the new image search engines make it possible.

For example, the Polish platform PimEyes analyzes according to current research by

netzpolitik.org. "Masses of faces on the Internet according to individual characteristics and

saves the biometric data". Any user can use this database to

upload a person's photo and view it anywhere on the web

this face is already found. This makes it possible for one person at all

to "catch" possible life circumstances and situations - at demonstrations or

Parties, at party conferences, on vacation or on dating sites. In fact, it is possible

every person you meet on the street and from whom you might

even takes a snapshot unnoticed, to have it checked by the database

senior

The facial recognition service advertises that it already has 900 million faces in its data

bank (in 2018 it was "only" 100 million faces). Will the photo

uploaded to the platform by a person, it will be linked to the database by

PimEyes matched and linked to similar faces. with the help of a

conventional image is linked there to other images, such as on the

Website of the data subject's place of work or on their social media

Accounts that determine the identity of that person. This works according to the research

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The information on the collection of personal data according to Article 13 DS-GVO can be found on our homepage

(<https://www.baden-wuerttemberg.datenschutz.de/datenschutz/>).

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from netzpolitik.org with frightening accuracy, including photos from

People who can only be seen in the background of a recording or from the side.

"This is an alarming development," says the state representative for the

Data Protection and Freedom of Information Baden-Württemberg (LfDI), Dr. Stefan Brink.

"We are dealing with blatant violations of the law here: even the recording of the

image and uploading it to such a platform constitutes a violation of the law

in the data subject's own image. And for further processing

images through the platform, there is no data protection-compliant legal basis - oh-

Without the consent of the person concerned, nothing can happen."

According to DS-GVO it is forbidden to use biometric data for unique identification

use by natural persons. The LfDI Stefan Brink warns: "This service

urges you to encroach on someone else's rights - that becomes civil law

Claims for damages entail!" Loads a user the photo of another

person at PimEyes without their consent, he violates the right on

own picture.

"Facial recognition technology threatens the liberal democracy in which we live

live, any anonymity is abolished. Not anonymous in public space

Being able to move – think of demonstrations, for example – is massively restrictive

Fundamental rights such as freedom of expression or informational self-determination."

emphasizes Stefan Brink. For use of such services by security authorities

there is no independent legal regulation in Germany which would give rise to

Purpose and limitations of face matching area-specific, precise and standard-

clearly stipulates. But this border crossing is already being discussed and

tested in individual cases, for example after the G20 riots in Hamburg.

"It is particularly worrying that particularly sensitive biometric data is being stored in the

be collected on a large scale, which allow a clear identification of a person

possible and the potential for total social or state surveillance

remote. Any political, religious, sexual or other private peculiarity or behavior

tenweise will be recorded and associated with me as a person; this

constitutes a severe restriction of the personal freedom of the individual!"

warns the LfDI.

And that has clearly foreseeable consequences: people will be wary of dealing with personal

public attitudes or beliefs when they

always have to reckon with being photographed and identified. "This will

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our freedom and democracy are under immediate threat!"

Brink therefore demands: "Apart from the consistent application of data protection

Basic Regulation DS-GVO, we as a society should also take action against these

development and the misuse of our immutable biometric

resolutely oppose characteristics. We need a social

n replacement with critical technologies that threaten our freedoms - and until

there a suspension of the use of such techniques – at least in Europe."

The research by netzpolitik.org is available at:

<https://netzpolitik.org/2020/faces-search-engine-pimeyes-schft-anonymitaet-ab/>

If you have any questions, you can reach us on the telephone number 0711/615541-23.

Further information on data protection and freedom of information can be found in the Internet at www.baden-wuerttemberg.datenschutz.de or at

www.datenschutz.de.

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