

Thursday, May 25, 2023 2: Press releases 5 years of the General Data Protection Regulation: Proven benchmark,
implementable, internationally recognized PRESS RELEASE

the Conference of Independent Data Protection Authorities

of the federal and state governments from May 25th, 2023 Press release in PDF format

It all started on May 25, 2018: From now on, the General Data Protection Regulation (GDPR) regulated the processing of personal data and thus the obligations of those responsible and the rights of the persons concerned. Data processing in Europe has changed in the five years since it was in force: Digitization is penetrating almost all areas of life, smartphones and cloud computing have become a matter of course for many, and artificial intelligence applications are taking over tasks at work and in private life. Awareness of the rights to information, correction or deletion of personal data has increased throughout Europe. Data protection regulators handle thousands of complaints each year. Those responsible know their duties. The concept of a uniform data protection law is considered a successful model. With the European Data Protection Board, an important body was created to provide help for legal interpretation through common guidelines for data processing. The data protection officers in companies and authorities play an important role in data protection on site. Progress has also been made in the area of self-regulation instruments such as codes of conduct or certification. Where questions of interpretation are disputed, courts decide – sometimes in several instances until final clarification by the European Court of Justice. dr H. c. Marit Hansen, State Commissioner for Data Protection in Schleswig-Holstein and this year's Chairwoman of the Conference of Independent Federal and State Data Protection Authorities (Data Protection Conference), assesses the situation as follows:

"The General Data Protection Regulation works. It is a tried and tested means of enabling the processing of personal data while at the same time protecting fundamental rights. In this way, the GDPR has developed into a proven standard that is also in demand internationally." Hansen is not entirely satisfied with the implementation of the newly introduced principle of "data protection through technology design and through data protection-friendly default settings" in Article 25 of the GDPR. She complains: "It would be much easier and fairer for those responsible if manufacturers and service providers built data protection into the development of their products and services right from the start. Instead, we experience time and again in our audits that those responsible are left in the dark by manufacturers and service providers as to how personal data is processed. In many cases, there is also a lack of a sufficient level of security - this is demonstrated to us almost every day by a large number of data breach reports." The GDPR requires the person responsible to be able to prove compliance with the data

protection principles. Hansen states: "Companies and authorities cannot fulfill their accountability if manufacturers and service providers ignore the GDPR in their offers. This needs to be turned around: Manufacturers and service providers should support those responsible in meeting the requirements of the GDPR. This is only possible with products and services that comply with data protection regulations." In the data protection conference, the German data protection supervisory authorities work together with the aim of safeguarding and protecting basic data protection rights, achieving uniform application of European and national data protection law and working together to promote its further development. Hansen makes it clear: "The European legislator did not design the GDPR as a flash in the pan, but as a set of rules for decades. Not an easy task in view of technical progress! Where the GDPR remains abstract, it must be specified in practice. With the data protection conference, we will continuously make our contribution to clarifying the essential questions regarding the processing of personal data. This is how the potential of the GDPR can and will continue to unfold." Contact:

Chair of the Data Protection Conference 2023

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