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Federal data protection officer warns of restraint with facial recognition

Like the Hamburg data protection officer, the BfDI also considers the biometric evaluation of video material to be illegal without a new legal basis.

With ever-increasing databases and more extensive methods for evaluating them, the risk of being innocently targeted by the authorities increases without a clearly defined regulation. In addition, the constant feeling of surveillance can consciously and unconsciously lead to the avoidance of completely legal behavior such as taking part in demonstrations.

Ulrich Kelber explains: »There is currently no legal basis for automated biometric face recognition! Just because it is now technically possible to analyze large amounts of data biometrically in detail does not mean that a corresponding procedure is legally permissible.

Such a significant encroachment on fundamental rights cannot be legitimized by resorting to the broad general clauses of the Code of Criminal Procedure. Most of these date back to the 1970s and 1980s, when data processing like the one in question was still pure science fiction. The technical methods and conditions with which security authorities are allowed to evaluate and analyze databases must therefore be revised and in this context also clearly limited according to their intensity of intervention and potential spread.

Already today, we all scatter a wide data trail when we use the Internet, carry a switched on phone, travel, use public transport, drive a car or shop. If all this data is supplemented with an endless flood of biometric video material, there is a real danger of no longer being able to move about in public unobserved. If, for example, people refrain from taking part in certain activities freely out of fear, a limit has been crossed that the Federal Constitutional Court has always set as a clear red line for sovereign intervention. It must not come to this!«

Last week, Hamburg's Senator for the Interior filed a complaint against an order from Hamburg's data protection officer, who had called for the deletion of a database containing biometric information on thousands of citizens obtained from videos. The relevant video material that was recorded around the G20 summit comes from the police, but also from cell phone videos of private individuals or from surveillance cameras from local public transport. The lawsuit aims to clarify whether the existing provisions of the Code of Criminal Procedure allow the biometric evaluation of video material.

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.