

Free access to illegally published personal data via Twitter is prohibited

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As the Hamburg Commissioner for Data Protection and Freedom of Information learned today from the media, extensive data on people from the political and artistic sphere in Germany was unlawfully published on the Internet in December 2018. The unknown perpetrators used the social network Twitter as a distribution platform. Since the morning, the HmbBfDI has been in the process of stopping public access to the data via the Twitter platform, which is within the national area of responsibility. The authority is in contact with colleagues at the Irish data protection authority, which is responsible for Europe-wide in this case.

Although the HmbBfDI has been waiting for an answer since this morning, it has not been possible to get any feedback from Twitter. Also in Hamburg, the German head office, no responsible contact person is available. However, the account used for the publication has already been taken offline. It is now a question of using an order that is addressed directly to Twitter in Ireland, to demand the legally binding blocking of the links that refer to other platforms on which the actual data is located. Because on the original platforms, these are still freely accessible on the Internet. The HmbBfDI sent Twitter a corresponding list of short links that should be deleted.

The amount of published data is immense. Even if no information relevant to public security is affected, the damage that can result from the publication of personal information for the individual affected is nevertheless considerable. Once data has been put online, it can hardly be removed from there. The use of different platforms, free accessibility and the ability to copy make this difficult.

For this Prof. Dr. Johannes Caspar, Hamburg Commissioner for Data Protection and Freedom of Information: "Although we have currently exhausted all the measures available to us, we cannot prevent this data from continuing to be publicly available on the Internet. Even if there can be no absolute protection, it is important to develop strategies in the future that will have a preventive effect. The case also shows that the flow of communication needs to be improved. This applies to platforms such as Twitter, but also in cooperation with authorities. If the federal authorities were already aware of the incident yesterday, it would have been appropriate to involve the data protection authorities and to inform them in good time. Especially when it comes to ensuring that accounts on platforms are blocked in order to make access to personal data more difficult, the supervisory authorities in the field of data protection have the tools to enforce this - at least on well-known platforms such as Twitter. The

protection of the rights of those affected must not depend on the data protection authorities learning about the massive violation of the rights and freedoms of those affected by the media.”

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