

PRESS RELEASE

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Berlin Commissioner for Data Protection and Freedom of Information published

Annual Report 2022

The Berlin Commissioner for Data Protection and Freedom of Information (BInBDI), Meike Kamp, today presented its annual report for 2022. On 170 pages, she provides information about the most important consultations and proceedings as well as significant fines from the past year.

Meike Kamp: "In 2022, we were again concerned with the consequences of the corona pandemic, around several cases of fines against corona test centers. The focus was also on consultations data protection-compliant digitization of the administration and the examination of almost 4,500 entries of Berliners. I see it as my job to ensure that people benefit from digitization without giving up self-determination and unobserved freedom must."

In 2022, private individuals made a total of 4,445 complaints or a request for advice to the BInBDI. The number is still at a high level, however lower than in the previous year (5,671 entries), as a particularly large number of people associated with complained about the fight against the pandemic. The number of reported data breaches also went down slightly down to 1,068 incidents, often caused by malware attacks or vulnerabilities.

The agency has issued 269 warnings, seven warnings and four private orders and public authorities. It also issued fines totaling 716,575 euros, etc. against a credit reporting agency that provided 13 false dates of birth to a complainant had saved. The highest fine of 525,000 euros was against an online retailer issued due to a conflict of interest of the company data protection officer. Further Fines were imposed on corona test centers and due to unauthorized database queries Police officers and job center employees.

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The annual report describes a considerable need to catch up in the digitization of administration. The concrete implementation is associated with many technical challenges and raises numerous

Data protection questions, which the BlnBDI provides extensive support in answering. So has the

Authority advised the social welfare office in the creation of the data protection concept for the e-file, which is now should also be used by other authorities.

Two projects in the

areas of youth welfare and universities. In both cases, the BlnBDI was involved at an early stage,

to advise on data protection. A Berlin university rejected this after the consultation

their original idea of comprehensively using proctoring software for study aptitude tests

monitor. The new implementation regulations for youth welfare in criminal proceedings were

Advice to the BlnBDI adapted to the GDPR in a practice-oriented manner.

In the aftermath of the federal elections, the authority received numerous complaints about personalization

Testimonials from celebrities from politics and business who campaigned for a Bundestag candidate.

The BlnBDI found several data protection violations, among other things, because those affected about the true

Sender and the origin of the data were left in the dark. Given the high number of

The BlnBDI is currently examining the imposition of a fine for those affected and the severity of the violations against the district branch of the party.

This week, the European General Data Protection Regulation (GDPR) celebrates its fifth year Anniversary. Meike Kamp sums it up: "It took some time, but now she's winning European cooperation among the supervisory authorities is gaining momentum. Every year we see more Sanctions, more supervisory measures at European level, also against the big tech platforms. With the digital package and the data strategy of the European Union as well as the planned regulation of political targeting, new legal developments are imminent will have a say in our work."

Berlin is still waiting for a modern transparency law to be passed after the repeated attempt by the last coalition failed again. The annual report makes it clear which one There is a need for reform of freedom of information in Berlin. Meike Kamp: "The people in in our city much more must be included in political decisions. There it can Transparency Act by obliging the authorities to provide information on their own initiative that serve as a basis for political decisions."

The annual report is available at: www.datenschutz-berlin.de/annual-report-2022

The annex to the press release provides an overview of selected topics.

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About the BlnBDI

On October 6, 2022, the House of Representatives elected Meike Kamp as the new Berlin Commissioner for Data protection and freedom of information (BlnBDI). When she took office on November 15, she took over the management of the office taken over. The BlnBDI is independent in the exercise of its office and only to the law subject.

It has the task of monitoring compliance with data protection regulations in the State of Berlin to provide information and advice on data protection issues. The Berlin authorities are subject to your supervision as well as private bodies such as companies and associations based in Berlin. Since 1999, she has also been responsible for maintaining the

Ensure the right to inspect files and access information.