

Bonn/Berlin, April 4th, 2019

Press release 14/2019

Freedom has to be fought for again and again! - Data protection conference adopts »Hambach Declaration« on artificial intelligence

At the 97th data protection conference in Hambach Castle, the data protection supervisory authorities of the federal and state governments dealt with a number of important data protection issues. One focus was on the topic of artificial intelligence. In conscious reference to the demands for freedom and democracy raised at the Hambach Festival in 1832, the conference emphasized in its "Hambach Declaration" that the use of artificial intelligence must be accountable to people and their fundamental rights and freedoms.

Ulrich Kelber, Federal Commissioner for Data Protection and Freedom of Information, explains: I am pleased that the Federal Government wants to ensure that fundamental rights continue to play a decisive role in the use of artificial intelligence. Human dignity and the fundamental right to informational self-determination enshrined in it must remain the benchmark for our actions when using such systems. With the Hambach Declaration, we as data protection supervisory authorities are sending a clear signal for the fundamental rights-oriented use of artificial intelligence.

To this end, the federal and state data protection officers define seven data protection requirements that must be met when using artificial intelligence. This includes, among other things, a high degree of transparency and traceability of the results and processes of machine-controlled decisions, the principle of data minimization, compliance with earmarking, but also the avoidance of discrimination and the clear attribution of responsibilities. Artificial intelligence must not objectify humans, so they are entitled to have a person intervene, make their point of view, and challenge the decisions made by artificial intelligence. In a further resolution, the data protection conference calls on the federal legislature to ensure the imposition of fines against companies for violations by their employees of German law, as required by European law under the General Data Protection Regulation (GDPR). So far, the restrictive regulations of German administrative offense law have applied here, which only allows fines to be imposed on companies in exceptional cases. The GDPR, on the other hand, stipulates that fines can be imposed on companies for any misconduct by their employees.

Other topics at the conference included guidance on how to deal with what is known as doxxing, in which requirements for access security are set for the providers of online services. In the run-up to the meeting, the conference had already made it

clear in a declaration that the data protection-compliant operation of Facebook fan pages is still not possible and asked Facebook and the operators of fan pages to fulfill their legally assigned responsibilities in this regard.

The results of the 97th data protection conference will be made available for retrieval after publication on the BfDI homepage.

Hambach Declaration of the 97th Data Protection Conference

Hambacher Declaration on Artificial Intelligence - Resolution of the 97th DSK

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.