

The "transparent citizen" threatens

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Contrary to massive criticism, the German Bundestag passed the Register Modernization Act on January 28, 2021. A central component of the law is a regulation according to which the tax ID is now a general identification number. "This brings us a big step closer to becoming a 'transparent citizen'," says Heinz Müller, State Commissioner for Data Protection and Freedom of Information. "Significant information such as health data, data from the debtor register, data on Hartz IV entitlements, information on criminal records and information on family relationships can be combined in one profile in this way."

The conference of data protection authorities of the federal and state governments (DSK) had repeatedly warned against the introduction of such a uniform personal identifier because the architecture on which the law is based runs counter to the fundamental right to informational self-determination. Instead, the DSK had called for "sector-specific" personal identification numbers. A natural person could thus be clearly identified, but the one-sided and comprehensive state comparison would be made significantly more difficult.

According to an opinion of the scientific services of the German Bundestag, the law is also unconstitutional. Müller: "It is to be feared that the state will access all available personal data at any time and link them together. This is exactly what the Federal Constitutional Court wanted to prevent in the census ruling of 1983 with the fundamental right to informational self-determination introduced there. The court therefore expressly prohibited the introduction of a uniform personal identifier." The Register Modernization Act still has to pass the state chamber before it comes into force. Müller: "I call on the state government to refuse to approve the Register Modernization Act in the Bundesrat."

[Back to overview](#)