



GPA Global Privacy and Data Protection Awards 2021

Entry Form

To submit an entry to the GPA Global Privacy and Data Protection Awards please complete and email this form to secretariat@globalprivacyassembly.org no later than **14 June 2021**.

Note: GPA member authorities can submit as many entries as they wish, but a separate form should be used for each different entry, submitted by the deadline above.

Languages: The GPA documentation Rule 6.2¹ applies.

1. CONTACT DETAILS FOR THIS ENTRY

Privacy/Data Protection
Authority:

**Berlin Commissioner for Data Protection and the
Freedom of Information**

2. ELIGIBILITY

By submitting this entry, I confirm that (*please tick all boxes to confirm*):

- The Authority is a member of the Global Privacy Assembly
- The initiative described in this entry was undertaken since January 2020.
- I am aware that the information in the entry (other than the contact details in 1(a) above) will be publicised by the GPA Secretariat.

3. CATEGORIES

Please indicate which category you wish to enter.

*Please tick **one**; please use a separate form for each category you wish to enter:*

- Education and Public Awareness
- Accountability
- Dispute Resolution and Enforcement
- Innovation
- People's Choice

4. DESCRIPTION OF THE INITIATIVE

a. Please provide a brief summary of the initiative (*no more than 75 words*)

In light of the corona pandemic and the immediate necessity to use digital tools for communication in the context of education, business and public administration, the Berlin Commissioner for Data

¹ [GPA Rules and Procedures](#), Rule 6.2 'Assembly documents':

Without prejudice to section 4.2, Assembly documents, including accreditation and observer applications may be submitted in English or in another language. In the latter case, the documents shall be accompanied by an English version. Members with the ability and the resources to do so are encouraged to translate proposed resolutions and other Assembly documents such as the Assembly Rules and Procedures.

Protection and the Freedom of Information has published in July 2020 a review of several video conferencing services of various providers in which she has examined their compliance with data protection laws to make it easier for controllers to check the lawfulness of using them.

b. Please provide a full description of the initiative (no more than 350 words)

In light of the corona pandemic, a growing number of companies, public authorities, associations and freelancers based in Berlin were contacting the Berlin Commissioner for Data Protection and the Freedom of Information (BlnBDI) with regard to the use of video conferencing solutions in compliance with data protection laws. To make it easier for them to check the lawfulness of using those solutions, the BlnBDI has been reviewing the video conferencing services of various providers and has published the results of this review in July 2020. The legal examinations involved the standard data processing contracts that controllers conclude with video conferencing service providers. Whenever the data processing contracts were found to be legally compliant, a cursory examination of certain technical aspects of the services was also conducted. To make the results of the review clearer, the BlnBDI has used a traffic light system that indicates like traffic lights on a scale from green over yellow to red which provider does reveal legal and technical flaws and which does not. Providers marked in green did not reveal any flaws. With regard to the legal examination, providers marked in yellow were found to have flaws that prevent the legally compliant use of the service but can probably be remedied without making significant adjustments to business processes and technology. As regards the technical evaluation, the services offered by the providers marked in yellow may be used under certain general conditions. Providers marked in red were identified to have flaws that prevent the legally compliant use of their services and can probably only be remedied by making significant adjustments to business processes and/or technology. The initiative of the BlnBDI encouraged numerous providers to rectify issues with their services. The list has been updated by the BlnBDI in February 2021.

c. Please explain why you think the initiative deserves to be recognised by an award (no more than 200 words)

The initiative of the Berlin Commissioner for Data Protection and the Freedom of Information (BlnBDI) deserves to be recognised by an award, because it has contributed to the raise of awareness for the lawful use of video conferencing systems and in this way to the right of privacy – an often neglected aspect when using digital tools for communication in the context of education, business and public administration. Furthermore, checking whether a service can be used in compliance with data protection laws is time-consuming and pushes many controllers to their limits, so the review of the BlnBDI offered them useful practical assistance in this regard. Last but not least, the initiative of the BlnBDI also encouraged numerous providers to rectify issues with their services.

d. Please include a photograph or image, if you wish (This will be published with your entry on the GPA website. The image can be pasted into the box below, be sent as an attachment or a link may be provided)

None.

e. Please provide the most relevant link on the authority’s website to the initiative, if applicable *(The website content does not need to be in English)*

https://www.datenschutz-berlin.de/fileadmin/user_upload/pdf/orientierungshilfen/2021-BInBDI-Hinweise_Berliner_Verantwortliche_zu_Anbietern_Videokonferenz-Dienste.pdf

f. Please provide any other relevant links that help explain the initiative or its impact or success *(e.g. links to news reports or articles):*

None.