Beat: Politics

DATA PROTECTION RIGHT TO INFORMATION AGAINST THE GERMAN BND

RIGHT TO INFORMATION

Munich, 13.07.2018, 00:28 Time

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Data protection right to information against the BND

According to clause 22 sentence 1 of the Federal Intelligence Service Act (BNDG) in conjunction with clause 15 (1) sentence 1 of the Federal Office for the Protection of the Constitution Act (BVerfSchG), this foreign intelligence service of Germany is obliged to provide information stored about it. In this case, following a landmark decision by the Federal Administrative Court of Germany of 24th January 2018, complete and correct information must be given to those affected on request. In addition, the content of this information must be identical with the content of the secret service records. The individual affected by surveillance must be able to recognize what data the Federal Intelligence Service of Germany has stored about his person. The aforementioned basic decision of the Federal Administrative Court of Germany has been issued under the file number 6 A 8/16 and is printed with facts and reasons in the New Journal of Administrative Law, Issue Number 8, on the pages 590 ff there (Neue Zeitschrift für Verwaltungsrecht, 2018, 590 ff.). This fact could become virulent in concern to the present "žBND-Scandal" in Austria.

Article online:
https://www.uspa24.com/bericht-13775/data-protection-right-to-information-against-the-german-bnd.html

Editorial office and responsibility:
V.i.S.d.P. & Sect. 6 MDStV (German Interstate Media Services Agreement): Andreas Wisuschil

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