



Press release

Data Protection Day 2017: In the eye of the camera everywhere

Bern, 27.1.2017 – New technologies bring the world to us in high definition at the lowest of prices. When the government and the public both call for increased security, video surveillance is talked up enthusiastically as the answer to our prayers. However, it is by no means the best method of protecting the public in every situation. In addition, it can lead to violations of privacy.

Video cameras are getting better and cheaper. As a result, we are increasingly coming under surveillance as we go about our private business. In the name of preventing crime and maintaining order, they are used in restaurants, shops, car parks, public toilets at cinemas and leisure facilities and even in our own homes. Although no official authorisation is required to operate a CCTV system on your own property or in your own business, anyone who makes a video recording of other people in which those people are recognisable needs a good reason for doing so and must abide by certain rules. The same applies when using drones or dash-cams.

For this year's Data Protection Day, the Federal Data Protection and Information Commissioner plans to focus on the risks of video surveillance. In particular, people who could come within the range of CCTV systems must be informed of this before the cameras focus on them. Cameras are only allowed to record what is absolutely necessary: filming public spaces and neighbouring properties is not permitted. Ultimately, a different method should be chosen if it also ensures effective protection without encroaching on other people's privacy. If video surveillance is required, then privacy filters (techniques for making people unrecognisable, such as pixelating) should be used and access should only be given to unprocessed images in exceptional and justified cases.

To give notice to others that video surveillance is being carried out, we recommend placing a sign to that effect at eye-level in an easily visible location. Clear information should be given on whom to contact in order to obtain more information. Covert filming of people is a violation of data protection law. Special care is required when using drones and dashcams. In addition, the video surveillance of public spaces is a police responsibility or requires authorisation.

If images are to be used to investigate a possible crime, the recordings must be handed over to the appropriate authorities. Members of the public are not permitted to conduct their own investigations, for example, by publishing images of suspected offenders on the internet. The courts decide whether recordings are admissible as evidence on a case-by-case basis. If images are saved as evidence, they may not be stored for any longer than is actually required in order to establish whether there has been any misconduct. They should normally be deleted within 24 to 48 hours. Special rules apply to the use of photo comparison systems used to check people using ski lifts or other leisure facilities.



Anyone who is filmed by a video camera without their consent and who feels that their privacy has been breached has the right to take action and demand information about data relating to their own person. We recommend that you first contact the operator of the CCTV system and ask for the recordings to be deleted and, if need be, for the camera angle or location to be changed. If the problem cannot be resolved in this way, you can bring civil proceedings. Depending on the case, we recommend that you consult a lawyer. If video surveillance is used in your workplace, you can ask for advice from the cantonal workplace inspectorate.

You will find comprehensive information on the use of video surveillance systems on our [website](#).

International Data Protection Day is a Council of Europe initiative that was first held in 2007 and has taken place each year on 28 January throughout Europe and overseas. Its aim is to raise public awareness of the need to protect the private domain and to assert rights to information, thereby bringing a lasting change the way we handle new technologies. The eleventh International Data Protection Day will be held tomorrow.

What are your experiences of video surveillance? Do you have any questions about installing a video camera or have you ever felt harassed by CCTV systems? Why not discuss your experiences on the [FDPIC blog](#) (in French and German).

Information of members of the press: Media office of the Federal Data Protection and Information Commissioner, Tel: 058 464 94 10, info@edoeb.admin.ch.