DATA PROTECTION SUPERVISORY AUTHORITY JEHOVAH'S WITNESSES

Annual Report 2023

Annual Report – 2023

Annual Report – 2023

of the *Data Protection Supervisory Authority of Jehovah's Witnesses*

The *Data Protection Supervisory Authority of Jehovah's Witnesses* is required to submit an annual report on the results of its activities to the Branch Committee and the public (Section 24(6) of the Data Protection Act of Jehovah's Witnesses (DSGJZ-E)). This report covers the period from January 2023 to December 2023.

The annual report is available on our website; see: https://datenschutz-jehovaszeugen.de/en/download-en/

LEGAL NOTICE

Publisher: *Data Protection Supervisory Authority of Jehovah's Witnesses*

Grünauer Straße 104
12557 Berlin
Phone: +49 (030) 65481080
Email: datenschutzaufsicht@jehovaszeugen.de
Website: www.datenschutz-jehovaszeugen.de

Submitted in June 2026

TABLE OF CONTENTS

List of Abbreviations 5
Introduction 6
1. Key Areas 8
1.1 National Law 9
1.1.1 Developments in Germany 9
1.1.2 Developments in Austria 9
1.1.3 Developments in Switzerland 10
1.2 European Union 11
1.2.1 Data Act 11
1.2.2 CJEU Case Law on Article 15 GDPR 11
1.2.3 European Commission: Adequacy Decision for the United States 12
1.2.4 EU AI Regulation (AI Act) 13
1.3 Data Protection Act of Jehovah's Witnesses (DSGJZ-E) 14
2. Data Protection under Religious Law 15
2.1 Data Protection Supervisory Authority of Jehovah's Witnesses 16
2.2 Current Developments 18
2.3 Cooperation with national supervisory authorities 19
3. Facts and Figures 20
3.1 Statistics 21
3.2 Infrastructure 26
3.3 Website 26
4. Glossary 27

NOTE:

The glossary at the end of the annual report provides a list of definitions for various technical terms. When a term (e.g., personal data) appears for the first time in the text and is highlighted in color, this indicates that it is explained in more detail in the glossary or the list of abbreviations.

List of Abbreviations

AI	Artificial Intelligence
BGH	Federal Court of Justice
CJEU	Court of Justice of the European Union
DPF	EU-US Data Privacy Framework
DSGJZ-E	Data Protection Act of Jehovah's Witnesses
DSK	Conference of Independent Data Protection Commissioners of the Federal Government and the States
EDPB	European Data Protection Board
ECtHR	European Court of Human Rights
ECHR	European Convention on Human Rights
ELGA	Electronic Health Record
EU	European Union
FDPIC	Federal Data Protection and Information Commissioner (independent supervisory authority in Switzerland)
GDPR	European General Data Protection Regulation
OLG	Higher Regional Court
RevDSG	New Data Protection Act in Switzerland
SCC	Standard Contractual Clauses

INTRODUCTION

In the spring of 2023, the fifth anniversary of the European General Data Protection Regulation (GDPR) was marked by a review of its developments and achievements. . These developments are also reflected in the activities of the Religious Community *of Jehovah's Witnesses in Germany*, a corporation under public law, and its branches.

In addition to holding in-person worship services—which continued to offer the option of digital participation—worship services in the form of conventions (https://jehovaszeugen.de/en/history/religious-holidays/) were once again organized. In addition to personal door-to-door outreach, members continued to reach out to others through letters as part of public preaching.

During the reporting period, the following topics, among others, influenced the data protection work of the *Data Protection Supervisory Authority of Jehovah's Witnesses*:

- New Data Protection Act (revDSG) in Switzerland
- Data Act
- CJEU case law on Article 15 GDPR
- EU Commission: Adequacy Decision for the U.S.
- Proposed EU AI Regulation (AI Act)
- Berlin State Data Protection Commissioner for Data Protection and Information Security: Supervisory jurisdiction over churches and religious associations

During the reporting period of 2023, the data subject rights enshrined in the DSGJZ-E [1] continued to ensure effective protection of personal data. The legal bases from which individual rights can be derived, as well as the steadily growing interest and increasing sensitivity among the public regarding data protection issues, continue to make the DSGJZ-E an effective law for the protection of personal data during the reporting period.

Interest in data protection issues remains high. During the reporting period, the *Data Protection Supervisory Authority of Jehovah's Witnesses* once again performed a wide range of advisory tasks and made its expertise available to both the religious community and its members as well as to external third parties.

In 2023, there were many inquiries regarding preaching by mail and unsolicited visits, which the *Data Protection Supervisory Authority of Jehovah's Witnesses* was able to address.

Data protection remains a task that affects all areas of society. Effective protection of personal data requires broad awareness of its importance as well as consistent adherence to data

[1] https://datenschutz-jehovaszeugen.de/wp-content/uploads/DSGJZ-E.pdf

protection standards. In 2023, the *Data Protection Supervisory Authority of Jehovah's Witnesses* continued to actively contribute to fulfilling this task.

One of the central tasks of the *Data Protection Supervisory Authority of Jehovah's Witnesses* is to strengthen data protection as an effective tool for fostering trust. This enables all parties involved to interact with one another in a fair and transparent manner while also ensuring the preservation of pastoral confidentiality where necessary. This must also be achieved in the digital world—despite new risks that must be carefully weighed.

Data protection is not guaranteed solely by the supervisory authority but arises above all from the understanding and acceptance of each individual user and data processor. It begins with every data subject who knows their rights and actively exercises them. A fundamental understanding that data protection concerns are involved in every instance of data processing is essential for the effective protection of informational self-determination.

To meet these high standards, the DSGJZ-E once again proved to be an effective means of protecting personal data during the 2023 reporting period.

We present below our annual report for the year 2023. In addition to the customary overview of developments in data protection law at the European, German, and religious community levels, relevant decisions and current developments are also addressed.

The preparation and publication of annual reports follow a phased process that ensures both the appropriate substantive review of the content and consideration of the specific requirements of the religious context. Against this background, annual reports have not necessarily been published concurrently with the respective reporting year in the past; rather, they have been made available successively at a later stage.

The report focuses on topics that directly affect the religious community or are essential for religious data protection. For general developments in data protection law, please refer to the reports of the state supervisory authorities.

We extend our thanks to all those who are committed to implementing data protection, protecting the rights of data subjects, and considering the specificities of religious data protection.

Berlin, June 2026

Andreas Schlack
Board Member

1. KEY AREAS

1.1 National Law

The year 2023 was marked by significant progress and changes in data protection law in Germany, Austria, and Switzerland, encompassing both national legislative initiatives and European regulations and case law.

1.1.1 Developments in Germany

Supervisory jurisdiction over churches in Berlin

In 2023, the Berlin State Data Protection Commissioner assumed oversight of churches and religious associations, provided that these organizations cannot rely on Article 91 GDPR, that is, where they did not already apply comprehensive data protection rules before the GDPR entered into force and have not established their own independent data protection oversight body.

Under Article 91 GDPR, churches and religious associations may apply their own data protection law if they already had their own comprehensive data protection rules in place prior to May 25, 2018. See Chapter 1.3, "Data Protection Act of Jehovah's Witnesses (DSGJZ-E)," of this report.

1.1.2 Developments in Austria

In 2023, there were no fundamental legislative changes to data protection law in Austria. Nevertheless, the year was marked by an extensive discussion regarding the implementation and application of the GDPR, particularly in sensitive areas such as health data and video surveillance.

Focus on Health Data

The processing of health data—particularly in the context of the Electronic Health Record (ELGA) and genetic data—was the subject of extensive discussion in 2023. The Data Protection Authority and the Ministry of Social Affairs emphasized the high level of protection required for this data under Article 9 GDPR. Technical and legal limitations of register-based research using ELGA data were highlighted, such as the inability to anonymize genetic data and the increased likelihood of identification due to large data volumes.

Video Surveillance

The legal admissibility of video surveillance remained a recurring topic in advisory activities. The Austrian Data Protection Authority emphasized that video surveillance must be purpose-limited, proportionate, and transparent. Particularly in sensitive areas such as medical practices or care facilities, the necessity of a data protection impact assessment was highlighted.

Participation in EU-wide developments

Austria was actively involved in European discussions on the proposed AI Regulation (AI Act) and the Data Act. The Data Protection Authority participated in the European Data Protection Board

(EDPB) and provided national perspectives. The Austrian position on AI and the data economy was represented in several expert committees and consultations.

1.1.3 Developments in Switzerland

Following a protracted legislative process, the completely revised Data Protection Act (revDSG)[2] entered into force in Switzerland on September 1, 2023. The new law entered into force without a transition period and required immediate compliance. It strengthens individuals' control over their personal data, enhances transparency, and adapts data protection law to technological developments. Key changes:

- Introduction of "Privacy by Design" and "Privacy by Default."
- Expanded information obligations and simplified rights of access.
- Requirement to maintain a record of processing activities for high-risk companies or those with more than 250 employees.
- Mandatory reporting of data breaches to the FDPIC, but without the 72-hour deadline as in the GDPR.
- Stricter penalties for violations.

Although the GDPR and the revDSG are not identical in content, their practical effects are similar. The main differences lie in the following key areas:

- According to the revDSG, no specific legal basis for processing is required. The principles of lawfulness, good faith, proportionality, and purpose limitation are sufficient.
- The revDSG does not expressly provide for a duty of accountability. Nevertheless, the logging of procedures is recommended as a safeguard against data breaches.
- Fines are imposed on the responsible natural person rather than on the undertaking and, at up to CHF 250,000, are lower than those provided for under the GDPR; however, further gradual alignment remains possible.

In practice, however, the practical impact of the Swiss revDSG will hardly be noticeable, as its list of obligations largely corresponds to the GDPR and thus to the DSGJZ-E. For data protection matters in Switzerland, the Data Protection Officer (Data Protection Advisor) of Jehovah's Witnesses in Switzerland can be contacted; further information is available on the following website: https://www.jw.org/en/privacy-policy/use-of-personal-data/use-of-personal-data-switzerland/

[2] https://www.fedlex.admin.ch/eli/cc/2022/491/en

1.2 EUROPEAN UNION

In 2023, the European Union (EU) once again served as a key driver for the further development of data protection. In addition to the ongoing application and interpretation of the GDPR, new legislative initiatives, landmark decisions by the Court of Justice of the European Union, and political agreements on future digital issues shaped the data protection landscape.

Of particular note are the adoption of the Data Act, the political agreement on the proposed AI Regulation (AI Act), and the new adequacy decision for the U.S., which redefines the rules for transatlantic data transfers. These developments were complemented by a series of CJEU rulings that further clarified the rights of data subjects and tightened the requirements for entities processing personal data.

These European measures have a direct impact on data protection practices in the member states and set new standards for transparency, data access, and the protection of personal information in the digital space.

1.2.1 DATA ACT

Together with the Data Governance Act, the EU Data Act 2023 (Regulation (EU) 2023/2854)[3] forms one of the most important pillars of the European digital and data strategies, which aim to create a single market for data within the European Union (EU) and promote data exchange. Following the European Parliament's adoption of the Data Act on November 9, 2023, and the Council's official approval on November 27, 2023, a new legal framework enabling the use of data is emerging, focusing not only on personal data but also on non-personal data.

2024 will therefore be a year of preparation and implementation: Extensive data access rights will be established, and affected companies must, among other things, ensure "data access by design" while simultaneously safeguarding personal data and protecting their trade secrets.

1.2.2 CJEU CASE LAW ON ARTICLE 15 GDPR

In 2023, the Court of Justice of the European Union (CJEU) clarified the scope of the right of access under Article 15 GDPR through various rulings. In its judgment of January 12, 2023 (C-154/21[4]), the CJEU ruled at the very beginning of the year that a controller who discloses or intends to disclose personal data to recipients is under an obligation to provide information about the identity of the recipients upon request by the data subject. In its judgment of May 4, 2023 (C-487/21[5]), the CJEU ruled in the spring on the concept of a "copy" within the meaning of Article 15 GDPR. The CJEU held that the data subject must receive a faithful and intelligible reproduction of all personal data undergoing processing. This may require extracts from documents, databases or emails, or even entire documents, where that contextual material is necessary for the data

[3] https://eur-lex.europa.eu/eli/reg/2023/2854/oj?eliuri=eli%3Areg%3A2023%3A2854%3Aoj&locale=en
[4] https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62021CJ0154
[5] https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?anchor=&uri=ecli%3AECLI%3AEU%3AC%3A2023%3A369

subject to understand the data and verify that it is accurate and lawfully processed. However, there is no automatic right to receive every original document merely because it contains personal data. On June 22, 2023, the CJEU ruled again on the right of access under Article 15 GDPR (C-579/21[6]) and noted that every data subject has the right to know when and for what reasons their personal data was accessed. According to the Court, this also includes so-called log files.

In the fall, the CJEU then had to answer questions referred by the Federal Court of Justice (BGH) regarding, among other things, the costs of providing information and the relationship between Article 15 GDPR and Section 630g (2) German Civil Code (BGB). In its judgment of October 26, 2023 (C-307/22[7]), the CJEU ruled that a patient is entitled under Article 15 GDPR to receive, free of charge, an initial copy of their complete medical record, including diagnoses, examination results, findings, and details of treatments or procedures. This also applies even where the data subject pursues a purpose unrelated to data protection and other than that referred to in the first sentence of Recital 63 GDPR. In the case at hand, a patient requested that his dentist provide him with a copy of his medical records free of charge in order to assert potential liability claims arising from possibly negligent treatment, while the dentist was willing to provide the records only upon reimbursement of the copying costs pursuant to Section 630g (2) German Civil Code (BGB). According to the CJEU, however, costs are only to be reimbursed if the patient submits a new request for access beyond this initial free-of-charge disclosure.

The case law under Article 15 GDPR is particularly noteworthy because, in a notice dated October 17, 2023, the EDPB announced the implementation of the right of access under Article 15 GDPR as the subject of its third Coordinated Enforcement Action. In doing so, the EDPB has made this a priority for national data protection authorities for the year 2024.

1.2.3 European Commission: Adequacy Decision for the United States

On July 10, 2023, the EU Commission adopted the EU-US Data Privacy Framework (DPF)[8] and the adequacy decision for the US. This is intended to facilitate data transfers between the EU and the US after the previous so-called Privacy Shield was declared invalid by the Court of Justice of the European Union (CJEU) in its Schrems II ruling in July 2020. This means that the US now offers a level of protection for personal data comparable to that of the EU when such data is transferred under the DPF. The adequacy decision thus serves as the basis for data transfers to US organizations certified under the DPF, meaning that in these cases, the previously necessary reliance on additional measures such as the 2021 EU Standard Contractual Clauses (SCCs) and the data transfer impact assessment will no longer be required.

However, concerns are already being raised about the new DPF: As recently as July 10, 2023, the NGO (non-governmental organization) led by Maximilian Schrems, "My Privacy is None of Your

[6] https://eur-lex.europa.eu/legal-content/DE/TXT/HTML/?uri=CELEX%3A62021CC0579
[7] https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=CELEX%3A62022CA0307
[8] https://eur-lex.europa.eu/eli/dec_impl/2023/1795/oj/eng

Business" (NOYB), announced that it had prepared various procedural options for challenging the new agreement before the Court of Justice of the European Union (CJEU), as it is largely a copy of the invalid old agreement. The digital association Bitkom e.V. also anticipates a review by the courts. In addition, the EDPB, with the participation of the German data protection authorities, issued a critical opinion on the DPF in spring 2023, while the DSK published guidance on its application on 4 September 2023[9]. In a statement, the Thuringian State Commissioner for Data Protection (TLfDI) diverges from the DSK's position on the application guidelines and assesses the likelihood that the CJEU will overturn the adequacy decision as "quite high."

As one of the first German courts, the Higher Regional Court (OLG) of Cologne used its judgment of 3 November 2023 (6 U 58/23[10]) to express criticism of the DPF. Given the usual duration of proceedings, it will likely be some time before the CJEU has the opportunity to comment on the DPF. Before that, however, the CJEU delivered a highly anticipated judgment on GDPR fines in 2023[11].

1.2.4 EU AI Regulation (AI Act)

On June 14, 2023, the European Parliament adopted its negotiating position on the AI Regulation, which had already been proposed by the European Commission in April 2021. This regulation, on which the Parliament and the Council reached a political agreement in a trilogue in early December 2023, is intended to create a comprehensive legal framework for the use of AI systems within the EU. It is based on a risk-based approach that establishes different requirements depending on the level of risk. The regulation offers opportunities for modernizing the public sector but requires a careful analysis of the legal framework and implementation at the national level and is intended to:

- Regulate high-risk AI systems (e.g., biometric surveillance, creditworthiness checks).
- Introduce transparency obligations for AI providers.
- Prohibit certain AI applications, such as systems used for the social scoring of individuals.

The regulation complements the GDPR and will play a central role in the interplay between data protection and AI in the future.

[9] https://www.datenschutzkonferenz-online.de/media/ah/230904_DSK_Ah_EU_US.pdf
[10] https://openjur.de/u/2481164.html
[11] Judgment "Deutsche Wohnen" (CJEU, Dec. 5, 2023, C-807/21) https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:62021CJ0807

1.3 Data Protection Act of Jehovah's Witnesses (DSGJZ-E)

The Berlin State Commissioner for Data Protection and Information Security presented his activity report for the year 2023. In it, the topic of "Supervisory jurisdiction over churches and religious associations" was addressed. The grandfathering provision contained in Article 91 GDPR excludes churches and religious associations, under certain conditions, from the scope of the GDPR and from the jurisdiction of the state supervisory authorities. In the Federal Republic of Germany, this applies primarily to entities of the Roman Catholic Church and those subject to the Data Protection Act of the Evangelical Church in Germany (EKD Data Protection Act), who can rely on the exemption provided by Article 91 GDPR.

However, it must be determined on a case-by-case basis whether religious communities meet the requirements of Article 91 GDPR. If these religious communities are recognized as public-law corporations, this raises further legal questions, which the Berlin State Commissioner for Data Protection and Information Security is seeking to resolve definitively.

Article 91(1) GDPR sets out two distinct requirements and links them to clear timeframes:

The respective religious community must have already applied comprehensive data protection rules "at the time of entry into force" of the GDPR and must then have brought them into compliance with the GDPR.

If a religious community cannot invoke Article 91 GDPR and the provisions of the GDPR must therefore be applied without specific data protection oversight, the jurisdiction of the state supervisory authorities applies.

Shortly after being granted corporate rights, the religious community of Jehovah's Witnesses enacted its own data protection law, which entered into force on February 13, 2008, and as a revised version on April 1, 2011, guaranteeing members of the religious community and all others a trustworthy and secure handling of their data. On May 22, 2018, a revised version of the DSGJZ-E was published, which has been in force since May 24, 2018. The comprehensive data protection rules of the religious community were therefore already in force well before the GDPR entered into force on May 24, 2016, and were subsequently brought into line with the GDPR by the 2018 revision. Both requirements of Article 91(1) GDPR are thus satisfied. Since then, the *Data Protection Supervisory Authority of Jehovah's Witnesses*, based in Berlin, has been monitoring compliance with the Data Protection Act of Jehovah's Witnesses (DSGJZ-E). Accordingly, the requirements for the application of Article 91 GDPR are fulfilled.

The Data Protection Act of Jehovah's Witnesses (DSGJZ-E) guarantees the rights of data subjects to an extent corresponding to that of the General Data Protection Regulation (GDPR). Pursuant to Section 1(7) DSGJZ-E, the provisions of the GDPR are furthermore to be applied mutatis mutandis, insofar as this is necessary to supplement or interpret the church's data protection law.

2. DATA PROTECTION UNDER RELIGIOUS LAW

2.1 Data Protection Supervisory Authority of Jehovah's Witnesses

The *Data Protection Supervisory Authority of Jehovah's Witnesses* is tasked with ensuring compliance with the provisions of the DSGJZ-E and all relevant data protection regulations and monitoring their implementation (Section 24(1) DSGJZ-E).

In addition, pursuant to Section 24(3) DSGJZ-E, the *Data Protection Supervisory Authority of Jehovah's Witnesses* has the following tasks, among others, within the scope of its jurisdiction:

- The public is comprehensively informed about the risks associated with data processing, applicable legal requirements, existing safeguards, and individual rights, and is made aware of their significance (Section 24(3)(1) DSGJZ-E).
- The religious community's branches and institutions are provided with comprehensive advice regarding legislative and administrative measures for the protection of personal data and the safeguarding of the associated fundamental rights in data processing (Section 24(3)(2) DSGJZ-E).
- Data controllers and processors are made aware of their legal obligations under applicable data protection law (Section 24(3)(3) DSGJZ-E).
- Complaints received from data subjects, bodies, or organisations are carefully reviewed. Complainants receive feedback on the status of the proceedings and the outcome within a reasonable period (Section 24(3)(5) DSGJZ-E). To facilitate the submission of complaints, an online form is available on the website of the *Data Protection Supervisory Authority of Jehovah's Witnesses*.

During the reporting period, the *Data Protection Supervisory Authority of Jehovah's Witnesses* continued to reliably fulfill the duties entrusted to it. Following the resumption of door-to-door preaching and the continued use of preaching by letter, the *Data Protection Supervisory Authority of Jehovah's Witnesses* received numerous inquiries.

- Door-to-door preaching

The *Data Protection Supervisory Authority of Jehovah's Witnesses* received inquiries from affected individuals who did not wish to receive further visits from members of the faith—for example, because they had been approached at inconvenient times or had already expressed no interest during a previous visit. Positive freedom of religion permits members of the faith to offer such conversations; negative freedom of religion equally grants affected individuals the right to refuse such a conversation. Although the DSGJZ-E does not apply to the processing of personal data in the context of the personal practice of religion (Section 1(9) DSGJZ-E), the Data Protection Authority was nevertheless able to answer the questions of the affected individuals in the vast majority of cases.

- Letter-writing ministry

The *Data Protection Supervisory Authority of Jehovah's Witnesses* has received numerous inquiries from individuals asking why they repeatedly receive personal letters from members of Jehovah's Witnesses. In a few cases, the data protection office received a complaint regarding letters allegedly delivered unlawfully. In the vast majority of cases, the inquiries from affected individuals were properly addressed and resolved.

According to the information available to the *Data Protection Supervisory Authority of Jehovah's Witnesses*, local Jehovah's Witnesses use publicly available sources (e.g. telephone directories) to obtain postal addresses for their personal letters.

- Video Communication

At the start of the pandemic in 2020, the religious community decided that meetings would no longer take place in person but would be broadcast via video conference. In the meantime, meetings can once again be attended in person. However, members of the faith may continue to use video communication as well.

As before, participants are not required to create their own user account or otherwise provide their personal data if they do not wish to do so. It is up to each participant to decide whether to join via audio only or to also transmit an image captured by their camera into the video conference room. In 2023, the *Data Protection Supervisory Authority of Jehovah's Witnesses* did not receive any further inquiries from affected individuals regarding this matter.

2.2 Current Developments

In the spirit of European harmonization of data protection, the *Data Protection Supervisory Authority of Jehovah's Witnesses* also considers cases handled by other government supervisory authorities that are nonetheless related to the cases handled by the *Data Protection Supervisory Authority of Jehovah's Witnesses*.

European Case Law

In 2023, the European Court of Human Rights issued a decision concerning Jehovah's Witnesses in the case Jehovah's Witnesses v. Finland (9 May 2023), addressing data protection in missionary activities.[12].

Introduction:

The judgment of the European Court of Human Rights (ECtHR) in the case of Jehovah's Witnesses v. Finland (Application No. 31172/19) of May 9, 2023, concerns the tension between freedom of religion and data protection law. The question of the applicability of Directive 95/46/EC to the door-to-door ministry had previously been settled by the Court of Justice of the European Union in its judgment of July 10, 2018 in Case C-25/17 (Jehovan todistajat). The ECtHR was concerned with a different question, namely whether the consent requirement resulting from that judgment was compatible with Article 9 of the ECHR. The Court held that it was. Decision:

The ECtHR concluded that no violation of the European Convention on Human Rights (ECHR) had occurred. In particular, the Court found no violation of Article 9 ECHR (freedom of religion). Door-to-door ministry as a religious activity is fully protected under Article 9 ECHR.

The Court emphasized that the requirement to obtain consent before recording notes containing personal data during the door-to-door ministry constitutes an appropriate and necessary protective measure and that no impermissible chilling effect on the practice of religion could be established. Overall, an appropriate balance had been struck between the right to freedom of religion (Article 9 ECHR) and the right to respect for private life (Article 8 ECHR).

Legal Assessment by the Authority:

The ECtHR expressly noted that the Finnish Personal Data Act applies without distinction to all religious communities and all social actors.

Both the Data Protection Board and the Supreme Administrative Court of Finland have unanimously clarified that the decision "was not made to hinder the religious practices of Jehovah's Witnesses, but for reasons related to the processing of personal data."

[12] https://laweuro.com/?p=20871

The ECtHR does not view the consent requirement as an obstacle, but rather as an appropriate protective measure that ultimately also serves to foster trust in the community's activities.

Concluding remarks:

The decision underscores that religious activities are also subject to the requirements of data protection law where personal data is processed and the activity extends beyond the purely private sphere. At the same time, however, the ECtHR has also expressly recognized the protection-worthy nature of door-to-door ministry as a religious practice and placed it under the protection of Article 9 ECHR.

2.3 Cooperation with national supervisory authorities

The *Data Protection Supervisory Authority of Jehovah's Witnesses* promotes close cooperation with government supervisory authorities in order to foster consistent data protection, as provided for in Article 57(1)(g) GDPR. The aim is to ensure an equivalent level of protection and to minimize the risk of divergent regulations that could undermine the rights of data subjects.

3. FACTS AND FIGURES

3.1 STATISTICS

The activities and matters of the reporting period are systematically evaluated and presented in a structured manner. The goal is to provide a clear picture of internal developments while ensuring comparability with other data protection reports. The presentation follows established reporting standards.

With regard to the terms “complaint,” “data breach,” “consultations,” and “supervisory review requests,” please refer to the explanations in previous annual reports.

Complaints

The Data Protection Authority reviewed and conclusively processed all complaints, supervisory review requests, and reports of potential data protection violations submitted during the reporting period.

In 14 cases, the complaints were resolved through settlement.

Data Breaches

In 2023, two data breaches were reported to the *Data Protection Supervisory Authority of Jehovah’s Witnesses*.

In one case, a break-in occurred at a Kingdom Hall of Jehovah’s Witnesses, during which a personal data breach appeared possible. The religious community immediately filed a police report for burglary. Those affected were promptly informed in writing by the data controller. As an organizational measure, this personal data will no longer be stored at the Kingdom Hall effective immediately.

In another case, personal data was sent to an unauthorized recipient. Here, too, the incident was reported to the data protection supervisory authority within the prescribed time limit.

The data protection authority notes that the religious community is addressing data breaches with the necessary seriousness and is taking measures to prevent the recurrence of such breaches. This helps ensure the timely submission of notifications.

Consultations

Pursuant to Section 24(3) DSGJZ-E, advising data controllers and raising awareness of data protection issues are among the central tasks of the data protection supervisory authority. During the reporting period, both written and (remote) verbal consultations took place with the aim of preventing data protection violations in advance.

A particular focus was placed on the application of the DSGJZ-E. Data controllers were regularly supported in this regard, particularly in designing processing operations in compliance with data protection regulations and in planning and conducting data protection impact assessments.

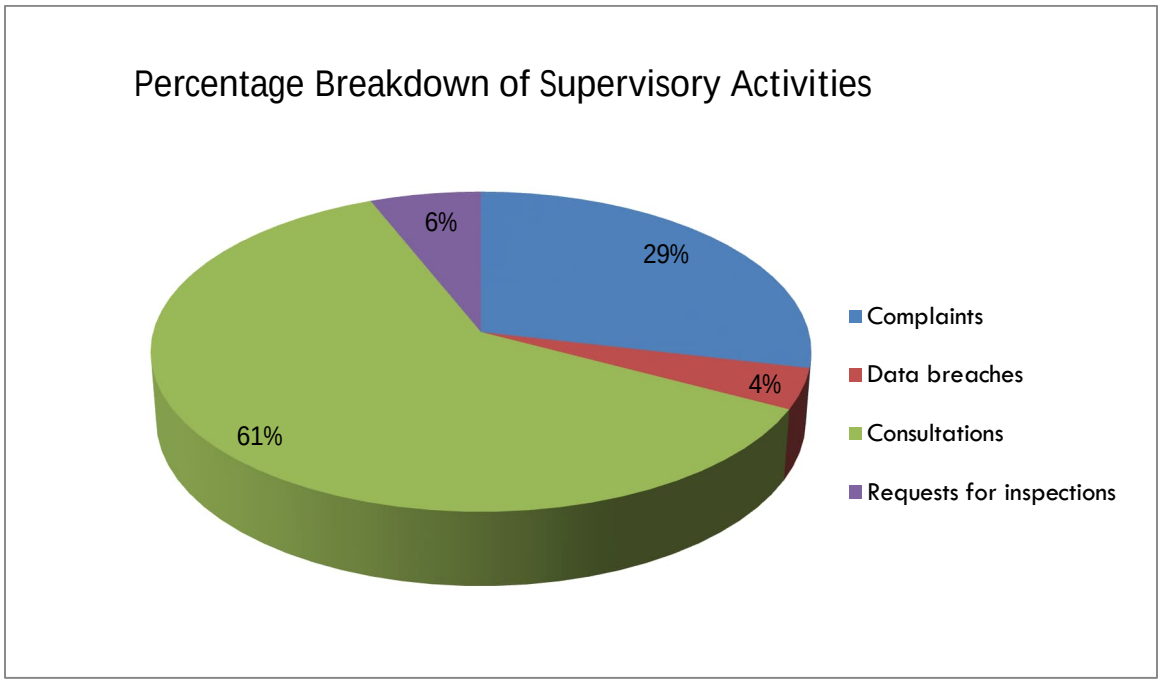
In numerous cases, this preventive advisory work resulted in concrete improvements to data security. This also applied to procedures related to religious law.

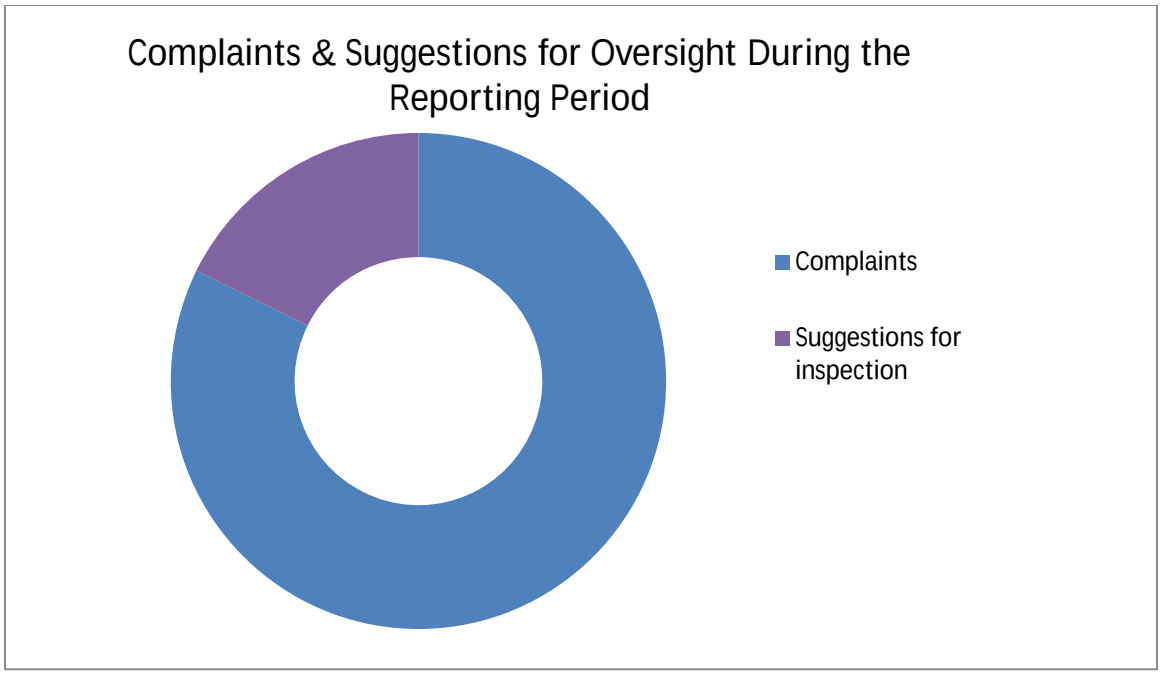
Supervisory Review Requests

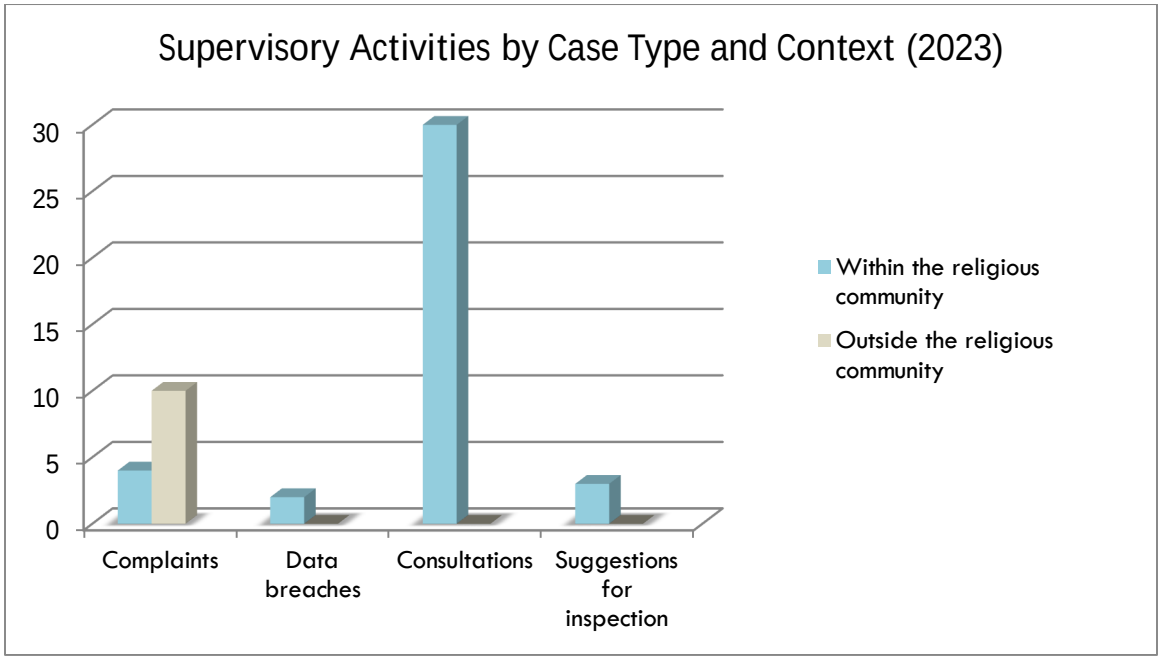
In 2023, the *Data Protection Supervisory Authority of Jehovah's Witnesses* initiated three supervisory review requests.

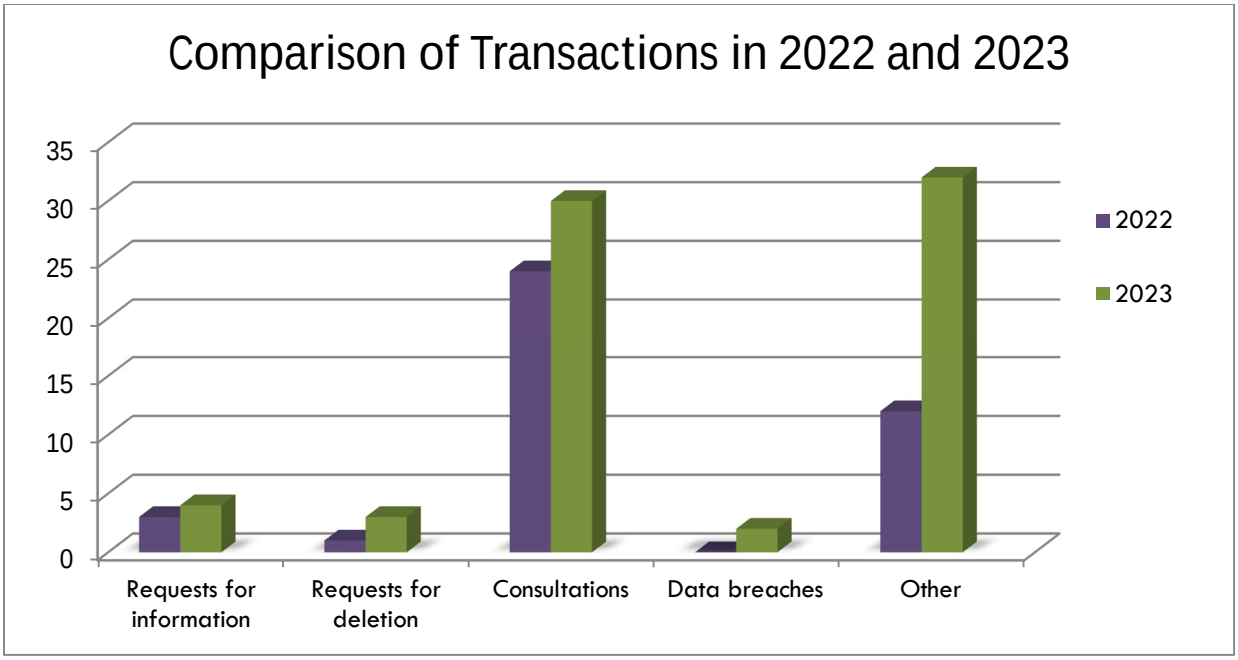
Graphical representation of the statistical analysis

Based on the above categories, the following statistical charts illustrate the activities of the Data Protection Authority during the reporting period:




Complaints & Suggestions for Oversight During the Reporting Period
Complaints
Suggestions for inspection


Supervisory Activities by Case Type and Context (2023)
30
25
20
15
10
5
0
Complaints
Data breaches
Consultations
Suggestions for inspection
Within the religious community
Outside the religious community



A comparison of the matters recorded in 2022 and 2023 reveals a significant shift in the structure of incoming cases.

While the number of requests for access and deletion rose slightly during the reporting period, their share of the total volume remains low overall.

With regard to many inquiries, it should be emphasized that the *Data Protection Supervisory Authority of Jehovah's Witnesses* is not itself the controller responsible for the processing of personal data. In many cases, such inquiries are therefore initially referred to the responsible congregation (available at: https://www.jw.org/en/jehovahs-witnesses/meetings/) or, alternatively, to the religious community (available at: https://www.jw.org/en/jehovahs-witnesses/contact/germany/).

A moderate increase has also been recorded in reported data breaches.

Another notable development was the significant increase in consultations compared to the previous year. While they were already a key focus of our work in 2022, their volume increased again in 2023. This indicates a growing need for support and clarification regarding data protection law. However, this also allows for data protection-friendly measures to be discussed in advance, thereby helping to prevent personal data breaches from occurring in the first place.

In parallel, there has been a significant increase in cases classified under "Other," which accounted for the largest share in 2023. This suggests an increasing diversification of case scenarios that can no longer be clearly assigned to the traditional categories. This category includes, among

other things, situations such as unwanted visits, unsolicited correspondence, and inquiries unrelated to data protection law.

Overall, this reflects both an intensification of advisory activities and an increase in heterogeneous or difficult-to-classify cases. This points to changing and overall increasing demands on supervisory activities.

3.2 INFRASTRUCTURE

The office of the *Data Protection Supervisory Authority of Jehovah's Witnesses* is based in Berlin. The address is:

Grünauer Straße 104, 12557 Berlin

The office is open Monday through Friday from 9:00 a.m. to 12:00 p.m.

3.3 WEBSITE

The website of the *Data Protection Supervisory Authority of Jehovah's Witnesses* can be accessed at

https://datenschutz-jehovaszeugen.de/en/ /

and is available 24 hours a day.

In addition to submitting a report in writing or by phone, every visitor to the website has the option to send their inquiry to the *Data Protection Supervisory Authority of Jehovah's Witnesses* via an electronic reporting form.

4. GLOSSARY

- **Corporation under public law** — A corporation under public law is a legal entity that has been vested with public law powers by virtue of state recognition. Religious communities with this status benefit from a constitutionally protected right of self-governance, enabling them to organize and administer their internal affairs autonomously.
- **DSGJZ-E** — Jehovah's Witnesses Data Protection Act – The Jehovah's Witnesses Data Protection Act is also part of religious law. This act regulates the processing of personal data by the Jehovah's Witnesses religious community.
- **GDPR** — The General Data Protection Regulation (Regulation of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data, on the free movement of such data, and on the repeal of Directive 95/46/EC) of 2016 standardizes the rules governing the processing of personal data by companies, public authorities, and associations within the European Union. The handling of data is clarified in eleven chapters comprising a total of 99 articles.
- **Personal data** — Personal data consists of specific information regarding the personal or factual circumstances of an identified or identifiable natural person (data subject).
- **Religious law** — The internal law adopted by the religious community for the organization and administration of its own affairs (e.g., the community's statute)