

# 1 Executive Summary

The University Medicine Greifswald (UMG) is the controller for the processing of the patient data (both medical and identifying data) which is aggregated in the context of the Baltic Fracture Competence Centre. The processing of patient identifying data is carried out by the so-called independent Trusted Third Party (TTP), which is legally a part of the UMG. The TTP acts independently according to comprehensive organizational measures.

Despite the implementation of a pseudonymisation, the data is personal data according to the data protection law. Furthermore, the data qualifies as “data concerning health” and, thus, particularly sensitive data with respect to the data protection law.

In order to avoid the possibility of criminal liability under Section 203 StGB (German criminal code), it is necessary to obtain the participant’s consent in the sense of a release from the obligation of medical secrecy. At the same time, it is recommended to obtain the participant’s consent in the sense of data protection law. Under these circumstances, the processing of personal data in the context of a registry is not objectionable under data protection law, both in accordance with the General Data Protection Regulation (GDPR), as well as under the applicable state data protection laws and the new Federal Data Protection Act (BDSG).

To comply with requirements according to criminal law, professional code of conduct and data protection law, it would also be possible to rely on a sufficient anonymisation technique. The instrument of consent, on the other hand, is the most appropriate way of respecting the right to informational self-determination.