Research Project

Protecting Human Health and Security in Digital Europe: How to deal with the "Privacy Paradox?"

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Project title Protecting Human Health and Security in Digital Europe: How to deal with the "Privacy Paradox?"

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Background: This work is part of an international collaboration between law and ethics scholars as well as technical experts in France and Switzerland. The interdisciplinary approach is a unique feature and guarantees important new insights in the ethical issues related to human health and security in the digital era.ă

Research question: What are the ethical, legal and social challenges to a responsible use of information and communication technology (ICT) for the purposes of protecting human health and security?

Results: The development and democratisation of ICT leads to a massive exchange of data, both in terms of speed (induced by the internet) and number (the processed data ranging from data related to children to those related to an ageing population). This involves a multitude of data processors: individuals, State authorities, economic operators.

With the growing sophistication of ICT, two uses develop with regard to the protection of human health and security: the purpose may consist in safeguarding the interests of the individual (e.g. the electronic medical record can be life-saving), but also the interests of the public, such as public health, public security, democracy.

Our analysis revealed a "privacy paradox": on the one hand, the rule of law principle requires that, in the relation between the State and individuals, safeguards exist against privacy-intrusive surveillance mechanisms which risk violating the fundamental right to privacy and data protection. On the other hand, individuals are free to release personal data through social media without being systematically aware of associated risks and not being subject to any control of age, identity, consent.

Conclusion: Awareness-raising is needed for a responsible use of new technologies which serves legitimate individual and collective interests. The aim of regulations should be to protect individuals against a use of ICT which causes unjustified privacy breaches. The challenge for public authorities consists in striking a balance between their duty, in democratic societies, to safeguard the individual's autonomy based on the respect of human dignity and their duty to protect overriding legitimate aims in the interest of the public. The novelty of this challenge is that it arises in a relationship between the State and the individual which is characterized by an increasing use of ICT and the "privacy paradox". The law plays a double role here as it provides the conditions which favour the emergence of ICT while at the same time it serves as a tool for limiting their use.

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