

**Human Rights Council - 27th session**  
(8th September – 26th September 2014)

**Panel on Right to Privacy in the Digital Age**

12 September 2014

**Statement by Ireland**

Ireland aligns itself with the statement of the European Union and makes the following additional remarks.

Ireland thanks the Office of the High Commissioner for Human Rights for its report on the right to privacy in the digital age, and welcomes today's panel discussion.

The right to privacy, according to which no one shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, is well-established in international human rights law, and must be protected online as well as offline. Digital communications technologies have contributed greatly to improving freedom of expression and can be tools for facilitating the enjoyment of all human rights. While we accordingly strongly welcome the new forms of communication and free expression across borders that have been stimulated by the digital revolution, we are concerned about the challenges to the right to privacy in light of these advances. As stated in the report, the technological platforms upon which global political, economic and social life are increasingly reliant are not only vulnerable to mass surveillance, but they may actually facilitate it. There must be adequate and effective guarantees against abuses which, in our view, undermine democracy.

In this context, Ireland emphasises the importance of ensuring that any state surveillance is proportionate and fair, respects international law including international human rights law, and is governed by rule of law with oversight by civil authorities. We note the report raises this issue of a lack of effective oversight having contributed to a lack of accountability for unlawful intrusions on the right to privacy in the digital environment, as well as the shortcomings of relying on internal safeguards without independent, external monitoring.

We fully agree with the recommendation of the report that effectively addressing the challenges related to the right to privacy in the context of modern communications technology will require an ongoing, concerted multi-stakeholder engagement. We further

agree that this process should include a dialogue involving all relevant stakeholders, including Member States, scientific and technical communities, the business sector, academics, human rights experts and crucially civil society.

Our question to the panel relates to that point. *Ireland would be interested to hear the panel's views on the role of civil society in ensuring strict scrutiny of measures imposed under a statutory surveillance regime.*