



Doc. 12021

17 September 2009

Privacy and the management of private information on the Internet and other online media

Motion for a recommendation

tabled by Ms Andreja RIHTER and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

Growing numbers of people rely on the Internet as an essential tool for everyday activities (communication, information, knowledge, commercial transactions, leisure). The Council of Europe Conference of Ministers responsible for Media and New Communication Services (Reykjavik, 28-29 May 2009) agreed to pursue co-operation on media and new communication services with a view to providing common responses to developments regarding the media and the provision of media-like services, in particular as regards the respect for freedom of expression and information, the right to private life and the dignity of human beings.

At their Warsaw Summit in 2005, the Heads of State and Government of the Council of Europe member states confirmed the importance of respect for human rights in the information society, in particular freedom of expression and information and the right to respect for private life. The recent technological progress in the Internet and online media challenges existing standards on privacy and poses severe problems for individuals in managing their private information on such media.

Private information is increasingly available on the Internet and online media. Individuals leave identity traces through their use of cyberspace. Profiling of Internet users has become a common phenomenon. Computer systems are often intruded in order to gain private information. Employers control the use of office communication systems by their employees. Private information is put into cyberspace by users themselves as well as third parties.

Privacy is protected by Article 8 of the European Convention on Human Rights and the Council of Europe's Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data of 1981, but their application to the above issues is not necessarily possible or sufficient.

Individuals should be able to determine for themselves the management of their private information on the Internet and online media. Therefore, it is necessary for member states to assess this objective and provide adequate means to fulfil it. Technological means, greater user awareness, self-regulatory standards – for instance by the Internet industry and employers, as well as legal instruments should be evaluated in this respect.

The Parliamentary Assembly recommends that the Committee of Ministers develop policy guidelines and legal standards on protecting privacy on the Internet and other online media and in particular on empowering their users to manage and control their private data and information on these media.

Signed (see overleaf)



*Signed*¹:

RIHTER Andreja, Slovenia, SOC
ARNAUT José Luís, Portugal
DUESUND Åse Gunhild Woie, Norway
FLEGO Gvozden Srećko, Croatia, SOC
KADRIU Flora, "The former Yugoslav Republic of Macedonia", EPP/CD
KOROBAYNIKOV Anatoliy, Russian Federation
KOZMA József, Hungary
MUTTONEN Christine, Austria, SOC
OLSSON Kent, Sweden
POSTANJYAN Zaruhi, Armenia
SUDARENKOV Valeriy, Russian Federation, SOC
TAMIR Yuli, Israel

1. EPP/CD: Group of the European People's Party
SOC: Socialist Group