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International Institute for Middle East and Balkan Studies (IFIMES)[1] from

Ljubljana, Slovenia, regularly analyses developments in the Middle East,

Balkans and also around the world. Nora Wolf is an International Politics &

Economics specialist from the Kingston and University of Geneva. The text

entitled "Human Rights 75 years After: Privacy respect in the EU" is a brief

reference on a speech by well know Australian author and Human Rights

Human Rights 75 years After:

Privacy respect in the EU

Early summer days of 2020 in Vienna sow marking the anniversary of

Nuremberg Trials with the conference "From the Victory Day to Corona

Disarray: 75 years of Europe's Collective Security and Human Rights System -

Legacy of Antifascism for the Common Pan-European Future". This was the

first public and probably the largest conference in Europe past the early spring

lockdown. It gathered numerous speakers and audience physically in the venue

The conference was organised by four partners; the International Institute for

Middle East and Balkan Studies (IFIMES), Media Platform Modern Diplomacy,

Academic Journal European Perspectives, and Action Platform Culture for

Peace, with the support of the Diplomatic Academy of Vienna that hosted the

Media partners were diplomatic magazines of several countries, and the

academic partners included over 25 universities from all 5 continents,

numerous institutes and 2 international organisations. A day-long event was

available:

are

activist Dr. Lizzie O'Shea, prepared exclusively for the conference in Vienna.

MEDNARODNI INŠTITUT ZA BLIŽNJEVZHODNE IN BALKANSKE ŠTUDIJE INTERNATIONAL INSTITUTE FOR MIDDLE-EAST AND BALKAN STUDIES

Nora WOLF

International Politics & Economics specialist

while many others attended online.

event in a prestigious historical setting.

speech prepared exclusively for this conference.

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also Live-streamed, that enabled audiences from Chile to Far East and from Canada to Australia to be engaged with panellists in the plenary and via zoom. conference proceedings https://www.facebook.com/DiplomaticAcademyVienna) Among 20-some speakers from Canada to Australia, talking in three event's panels was also the well know author and Human Rights activist Dr. Lizzie

O'Shea. This text is a brief reference on her highly anticipated and absorbing

Lizzie O'Shea addressing the Conference Some argue that with the advent of the numeric age, privacy is dead and the

sooner we accept it; the sooner we can all move past our frivolous concerns of

personal data misuses and what is really just a reluctance on our part to

embrace change. As such, privacy decline and the related loss of control would

Others seem to think that Europe is at the forefront of the fight to preserve its

constituents' privacy - GDPR, after all, is proof of that. Moreover, article 8 of

merely constitute an inevitable consequence of our world's digitalization.

the ECHR combined with the Court's evolutionary case-law on the topic are robust safeguards in place ensuring that people's privacy remains bulletproof and a top priority. While it is true that on the outset Europe has been conceived as a 'leader' for its – at the time undoubtedly ground-breaking – Data Protection Regulation Act and other national initiatives stemming from the consolidated efforts of EU institutions, such a crucial multi-dimensional and far-reaching right as privacy requires more steps from each government, we argue here. First, in our ever-fast-changing digital world where privacy is threatened in more ways than we could predict, it is the States' place to be in the first line of defence: they shall be responsible but also accountable for the protection - or

lack thereof – of their citizens' privacy. Indeed, State obligations under Human

Rights frameworks remain unchanged. That is to respect, protect and fulfil.

Needless to say, the heavy and complex task of preserving the integrity of

one's privacy, surely, cannot simply fall onto each and every individual's

That being said, if and when governments decide to get more involved and

concerned with overall privacy challenges we face, one should also be wary of

the risks that empowerment may create. As a result of that mandate, notable

concentrations of power in the hands of the State can arise and ought to be

managed to prevent abuses and espouse a privacy approach targeting all

Lizzie O'Sheal, Human Rights lawyer and writer, effectively underlines some of

the shortcomings of the current EU approach to privacy in her intervention

during the Vienna Diplomatic Conference of July 2020. More precisely, she hints at the dangers of the current power balance being held by some Governments and the absence of a corresponding amount of accountability. She suggests that this reality is symptomatic of an overwhelming trust of the people in their State leading to an erosion of any culture of criticism. This phenomenon of "complacency", as O'Sheal phrases it, whilst seemingly perhaps counter-intuitive, is not in fact desirable. Criticism of one's own government policies - and thereby entertaining public debates on State strategies - is an essential component of militant democracies and an invaluable contribution to checks and balances. Public scrutiny and instigation of democratic forums can go a long way. Most notably, it prevents governments from taking the 'easy route' and encourages them to look at alternatives which might be more suitable to people's priorities and needs. Even more pressing is another consequence derived from the current European States' penchant for power monopoly in deciding privacy

management. Indeed, the latter trend combined to blind trust opens wide the

door to state surveillance and abuses. Let us be clear: GDPR is of no help in

terms of citizens' safeguards against governmental intrusions in privacy and

abusive use of personal data. This is why it is perhaps high time to remind

ourselves that protection of our fundamental right to privacy ought to be

Another criticism that aims to be constructive for the further shaping of our

European approach to privacy is the common restrictive conception of privacy

as a B2C relationship. The GDPR's architecture revolves around the

assumption that privacy issues solely regard individual rights, individual

situations, and individual informed consent. There is no acknowledgment of, or

infrastructures related to, any type of collective dimension. And while there is

no question that individual, case-by-case informed consent represents a

corner-stone in privacy protection policies, it is also insufficient in view of the

overall goal Europe should certainly be pursuing. That is, to build a global

online community that respects privacy in its fullest form and features adequate

shared liability mechanisms.

guaranteed against businesses, other private parties, and State actions.

In sum, the question is the following: should we truly be content with an individualistic-only, corporates are the villains-only plan to counter and mitigate the multiplying threats to our wholesome privacies? Perhaps this will serve as food for thoughts and refuel some welcome public debate on the matter. **About the author:** Nora Wolf is a Swiss/based, International Politics & Economics specialist from the Kingston and University of Geneva. Her expertise includes Human Rights, Humanitarian Law and International Criminal Law in an inter-disciplinary fashion for the EU and the UN-related thinktanks and FORAs. Ljubljana/Geneva, 16 September 2020 Footnotes: [1] IFIMES - International Institute for Middle East and Balkan Studies, based in Ljubljana,

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there any alternative to universal and pan-European Multilateralism?;

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Culture of Peace – culture,

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