

# Contents

<b>1</b>	<b>Harms of privacy</b>	<b>2</b>
<b>2</b>	<b>Benefits of privacy</b>	<b>2</b>
<b>3</b>	<b>Natural right to privacy</b>	<b>2</b>
3.1	Nothing to hide argument . . . . .	2
<b>4</b>	<b>Solove Taxonomy of Privacy Problems</b>	<b>2</b>
<b>5</b>	<b>Privacy respecting principles</b>	<b>3</b>
<b>6</b>	<b>OECD</b>	<b>3</b>
6.1	Guidelines . . . . .	3
<b>7</b>	<b>Personal and Sensitive information</b>	<b>3</b>
<b>8</b>	<b>Chilling Effect</b>	<b>3</b>

# 1 Harms of privacy

- Taking advantage of privacy (no access) to conduct illegal or immoral activities
- Violence in private circles (e.g., families, fraternities, etc.) not perceived from outside
- Unhappiness with too great of a burden for a nuclear family to care for all its members
- Need for engagement is natural and for those who are outcast (disabled, poor, etc.) privacy is a disadvantage

# 2 Benefits of privacy

- Privacy enables us to establish individuality.
- We are responsible for the development of our unique persona, as a separate moral agent.
- Privacy is a recognition of a persons true freedom.
- It lets us be ourselves and remove our public persona.
- Privacy allows us to shut out the rest of the world and focus on our thoughts, be creative and grow spiritually.
- We form different kinds of social relationship and need to have control over who knows what about us.

# 3 Natural right to privacy

The right to privacy protects the individuals interest in **becoming, being and remaining a person**. It does not assert a right of never to be seen. One can control whether and by whom ones body is experienced

## 3.1 Nothing to hide argument

If you think privacy is unimportant for you because you have nothing to hide, you might as well say free speech is unimportant for you because you have nothing useful to say.

- Edward Snowden

# 4 Solove Taxonomy of Privacy Problems

## Information collection

- Surveillance Monitoring continuously, via audio, visual and computing tech.
- Interrogation Pressuring individuals to divulge information

## Information processing

- Aggregation Collecting and linking data
- Identification Connecting information to individuals
- Insecurity Inadequately safeguarding data
- Secondary use Repurposing data disclosed by individuals
- Exclusion Failing to notify that data has been collected and allowing to correct records/information

## Information dissemination

- Breach of confidentiality Breaking a contractual duty to keep information private
- Disclosure Publishing private and true information in way it damages reputation
- Exposure Publicly displaying physical and emotional attributes that are private
- Increased accessibility Making records easier to access
- Blackmail Threatening to reveal damaging information

- Appropriation Using someones identity
- Distortion Manipulating the way a person is perceived

#### Invasion

- Intrusion Disturbing somebodys peace
- Decisional interference Controlling what one is allowed to do.

## 5 Privacy respecting principles

- Informed consent (opt out vs. opt in)
- No invisible information gathering
- No secondary use
- No covert data mining, matching or profiling
- Only collect as needed
- Accuracy and security
- Policy for responding to data requests
- Constitutional protection and laws
- Right to be forgotten
- Liberty vs. Claim rights

## 6 OECD

Organization for Economic Cooperation and Development. Has issued Recommendations of the Council Concerning Guidelines Governing the Protection of Privacy and Trans-Border Flows of Personal Data

### 6.1 Guidelines

- Notice: data subjects should be given notice when their data is being collected
- Purpose: data should only be used for the purpose stated and not for any other purposes
- Consent: data should not be disclosed without the data subjects consent
- Security: collected data should be kept secure from any potential abuses
- Disclosure: data subjects should be informed as to who is collecting their data
- Access: data subjects should be allowed to access their data and make corrections to any inaccurate data
- Accountability: data subjects should have a method available to them to hold data collectors accountable for not following the above principles

## 7 Personal and Sensitive information

**Personal:** Data that relates to a living individual who can be identified from that data. Either on its own or by combining with other information.

**Sensitive:** Data about matters such as mental health, trade union membership or sexual orientation

## 8 Chilling Effect

Web based authors and publishes are open to lawsuits from every country and every jurisdiction. Since different cultures have different views on what constitutes libel, that is having a *chilling effect*

## Reference section

### **chilling effect**

One feels pressure not to do something, even if it is legal to do so (in their country), because of fear of prosecution (from the perspective of other countries).