

# Cybersecurity and human rights



## Cybersecurity EAST

Funded  
by the European Union  
and the Council of Europe



EUROPEAN UNION

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Implemented  
by the Council of Europe


©

17 December 2020

**Professor Katrin Nyman Metcalf**  
**Cybersecurity East Project expert**

Katrin.Nyman-Metcalf@ega.ee

# Cybersecurity and human rights, connected or not?

- Cybersecurity is much more than protecting cyber networks and tools
- The protection and promotion of fundamental rights and freedoms is as important in cyberspace as in the physical environment – rights need to be protected where people are
- “Digital rights” are human rights in the digital environment
-  Many more activities and situations are “dual use”

# What is cybersecurity?

- Cybersecurity does not mean protecting technological solutions; it means protecting digital society and the way of life as a whole.
- Today, cybersecurity is universally accepted as an integral part of the functioning of the state, the economy, internal and external security. (Source: Cybersecurity Strategy 2019-2022, Republic of Estonia)
- Cyber security is achieved when the cyber domain is reliable and its functioning is ensured. (Source: Finland's Cyber Security Strategy Government Resolution, 24 Jan 2013)

# Influence on human rights

**Human rights safeguards: Who can protect and implement human rights?**

- Cross-border activities, unclear jurisdiction
- The role of private companies (and other non-state actors)

**Rights that are directly affected**

- Freedom of expression
- Protection of privacy /data protection
- Right to due process

**Limitations to human rights**

*(Necessary in a democratic society, proportional and set out in law)*

- Legitimate purpose but what is proportional?
- New forms of threats

**Strengthening of human rights through cyber technology**

- Technology for transparency, privacy by design, etc.
- Empowerment

# How to deal with human rights in cyberspace?

---

- Not necessarily a need for special legislation
    - Just making a law will not solve everything
    - Existing laws may be sufficient
  - Technology to protect rights
  - New forms of decision-making, new instruments
    - International cooperation
- © ega.ee Multistakeholderism

