

**MESSAGE FROM Mr JACQUES CHIRAC
PRESIDENT DE LA REPUBLIQUE**

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**23RD INTERNATIONAL CONFERENCE OF DATA PROTECTION
COMMISSIONERS**

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**LA SORBONNE
PARIS**

Chairman,

Rector and Chancellor,

Ladies and Gentlemen,

I would like to welcome all those taking part in the 23rd International Conference of Data Protection Commissioners, which is being organized this year by the *Commission Nationale Informatique et Libertés* (National Commission on Data Processing and Liberties), which has played a pioneering role in this area.

The universal spread of computers in the office, and now in the home, coupled with the planetary development of the Internet, represent a new development in society, creating new responsibilities for yourselves.

More and more, information technology is permeating the daily lives of the men and women in our countries, from their earliest childhood. Information and communication, culture and knowledge, commerce and human relationships are being redefined as a result. We have a duty to ensure they function harmoniously.

For these technological advances bring mingled hopes and dangers. Think of the hope of greater freedom of expression; the hope of sharing knowledge more widely and fostering greater dialogue among the world's cultures; the hope of spreading democratic aspirations and the universal values of human rights; the hope of new forms of prosperity. But think also of the threats to privacy; the risk of increasing cultural uniformity; and the spread of organized crime via a network that knows no frontiers.

You have a crucial role to play, today, in protecting privacy, freedom of expression, and the right to keep one's opinions secret.

I want to hail the work of the European Union in this field, frequently at France's instigation I might add. The transposition into French law of the EU personal data protection directive will equip us with the modern, strengthened legal framework we need in order to guarantee still more effectively the rights of the individual.

More and more States, and that includes the United States, now share these concerns to protect privacy on the Internet. Business, too, has woken up to the importance of this and is now acting accordingly. I welcome that.

Your responsibility, as independent authorities, is to ensure that nobody, public or private, misuses the personal data to which they have access. You are daily forging the rules that will protect employees from unchecked intrusions by their employer, and that will guarantee the right to privacy for all. You must also safeguard patients' confidential medical data from progress in the computerised processing of health data.

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You have an important role to play in building an international consensus on the use of the Internet.

It is your responsibility, therefore, to protect freedom of opinion. But that is no simple matter. Responses vary from one country to the next. The United States places an absolute value on freedom of expression, as enshrined in the First Amendment to their Constitution. Europe, on the other hand, punishes incitement to racial hatred or gratuitous violence. Other countries have different rules, reflecting their values, history and culture. We must respect freedom of thought. But we must not allow the Internet to fall prey to – or become the instrument of – the enemies of freedom and human dignity.

The equation you must continuously resolve is how to reconcile the two paramount human rights, namely the rights to security and freedom.

The potential antagonism between security and liberty has just been harshly brought home to us. Most of the developed countries have recently liberalised encryption on the Internet. They now allow each and everyone to encrypt without restraint the messages they send over the Internet, so as to safeguard their confidentiality. But this is a two-edged sword. For while it enhances trust – notably for consumers wishing to pay for purchases online – it renders the messages of criminals inviolate also.

The unprecedented terrorist assault on America will no doubt add fuel to the debate on that subject. For the use of the Internet for criminal purposes could prove a threat to all our peoples.

Now we must gird ourselves to tackle high-tech crime effectively. This is one dimension of the battle against terrorism we must now wage more energetically than ever. But at no price do we wish to build a repressive international machinery liable to endanger the freedoms so dearly bought by our fellow-citizens. What we need to build is a universal legal framework, effective and capable of evolving, commensurate with the world-wide character of the Internet; a framework that defines offences and sets the procedures for dealing with them.

With the United States, Canada and Japan, the Council of Europe has framed the outlines of a common legal mechanism to protect citizens from cybercrime. An accord is born. I hope it will be adopted by as many countries as possible, laying the foundations of an international rule of law applicable to all who use the Internet as means of communication or see it as a target.

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Ladies and gentlemen, as I said earlier, the Internet carries with it the hope of greater democracy. That is why I want to conclude by saying a few words about "cyberdemocracy", in other words the role the Internet can play in involving citizens more closely in public life. The United States has shown that abstention rates can be reduced sharply by allowing voters to vote via the Internet if they wish. This holds considerable potential for modern democracies.

For France's forthcoming national elections, I would like to see an experimental Internet voting system put in place to enable those thousands of expatriate Frenchmen and women who, because they live too far from a consulate, are effectively deprived of their right to vote.

Politics cannot be satisfied with high levels of abstention in elections. Nor can it be satisfied when some people are excluded from the universal suffrage. Naturally, the National Commission on Data Processing and Liberties would have to be consulted to ensure this electronic vote remained confidential.

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Together, we must make the information society a society of trust. A harmonious society, that strikes the right balance between freedom of expression – an intangible principle – and security for people and property. A society of progress, where citizens would feel reassured and encouraged in taking initiatives. A society of justice, that guarantees equality of rights and respect for the law.

Your proceedings during this conference and your shared experience will help consolidate the rule of law on the Internet, leading to better protection of privacy, to greater security and better safeguards for human rights. I shall naturally be paying very close attention to your conclusions.

Thank you.

Jacques CHIRAC