

Democracy is flourishing, but not individual freedom

On the threshold of the 21st century we are witnesses to a reinforcing of democracy, but it seems that the freedom of the individual has become less important. As though collective problems such as global climate change or the defence against terrorism have been prioritised to the detriment of personal freedom. Measures are now being implemented regardless of the risks, difficulties and costs they can present for the individual, restricting his or her freedom, such as the right to privacy.

Igor Nemeč. President of the Czech Office for Personal Data Protection.

We have witnessed how the pendulum is swinging towards collective security, and convenience, at the expense of the right to privacy. And that is happening with the almost unconscious consent of the majority. It is clear that many responsible officials are unaware that the invasion of citizens' privacy can ultimately be a way of violating the security of all.

One of the institutions seeking to draw attention to that phenomenon is the Czech Office for Personal Data Protection. We do not merely deal with specific complaints and initiatives and subsequently apply penalties: we see ourselves as a preventative authority that is trying to point to the problems, not only as part of our legislative work, but also by promoting the protection of personal data among the general public. It is perhaps because we see our role in that way that last year we won the Prize for Data Protection Best Practices from the Data Protection Agency in Madrid. We feel it is our duty to point out the risks presented by the mass processing of personal data in conjunction with the boom in information technologies. We are carefully monitoring those developments in this country and abroad.

All of that is a challenge for me, and I am honoured to be part of that process. I know in great detail how the issue has developed in our country. I was the first to speak on that subject in the Czech Republic, at an international conference organised in 1997 by the Office for the State Information System, whose president I was at the time. I remember well the atmosphere in society, in parliament and in the senate. There was no demand for the protection of personal data. And it is little wonder. A lot of information seemed to come from the world of science fiction. After all, at that time people in this country had only begun to use mobile phones, for instance. However, it is impossible not to see that since then people's opinions have changed as information technologies have expanded. Many questions have emerged, as well as specific problems. In 2000 the Czech Personal Data Protection Act appeared bringing into existence a supervisory authority – the Office – which was designed such that it is one of the few institutions that protect citizens in a field where they find it difficult to help themselves, and in many cases are unaware of the threats they face.

Today the Czech Office for Personal Data Protection is firmly rooted in the public administration system. It is characterised by its dynamism, both in its organisational structure and in its powers and its communications strategy. Its efforts to keep a finger on the pulse of developments in personal data protection can be demonstrated by the nineteen amendments to the Personal Data Protection Act over the seven years the act has been in existence, and also by a series of reorganisations that have been prompted by changes to our powers (the most recent was a consequence of the Czech Republic's accession to the Schengen area). I am of course pleased that it has proved possible to discuss the issue with the public, that Czech citizens have become increasingly aware of the risks associated with the lax handling of their property, their personal data, which has been apparent in a 50% increase each year in the number of queries, complaints and registrations.

I am also very pleased that we have been able to offer some of the experience we have gained, during a twinning project we ran in Bosnia and Herzegovina.

I am also very much in favour of international cooperation, because as someone who has spent part of his life as a mathematician specialising in information technologies, I realise that no national borders can automatically protect personal data. I am looking forward to working with the agency in Madrid, which has invited us to take part in interesting work in the forthcoming years. I believe that with our combined forces we can do much to protect the privacy and freedom of the individual in the field of personal data protection.