

## **The citizen's right to privacy and free communication**

Liberal International, Congress 2009

Recognizing that everyone has the right of freedom of expression and respect for their private life, their home and their correspondence

Notes in the current state of the means of communication and given the generalized development of public online communication services, and the importance of the latter for the practical participation in democracy and expression of ideas and opinions, that the right of freedom of expression and free communication implies freedom to access such services

Stresses that there shall be no interference by a public authority with the exercise of these rights except as are proportionate, prescribed by law and necessary in a democratic society, notably in the interests of national security, public safety, for the prevention of disorder or crime or for the protection of the rights and freedoms of others and is necessary in a democratic society in the interests of national security, public safety, for the prevention of disorder or crime or for the protection of the rights and freedoms of others

Recalls that in the determination of their civil rights and obligations, or of any criminal charge against them, everyone is entitled to be presumed innocent until proven guilty by an independent and impartial tribunal established by law, acting in due process of a fair trial

Firmly believes that any monitoring and storage of citizens communication by civil and public authorities must be laid down by law in line with respect of fundamental rights and freedoms, in particular in relation to a strict limitation of the invasion of privacy.

Notes with deep concern the collection of communications and correspondence from citizens. Collection of such information should only be allowed in the effort to combat terrorism and serious crime and should require the authority of the courts in every case.

- Calls upon its member parties to analyze existing and proposed laws, regarding the citizen's access to free communication as well as the monitoring and storage of such communication, according to the principle of proportionality and transparency.
- Calls upon its member parties to strictly limit and control the purposes for which the extent to which the citizen's right to free communication is restricted, as well as the purposes for which retained data may be provided to law enforcement authorities
- Calls upon governments – national and local – and the member parties to incorporate into their political work respect for citizen's right to privacy and free communication and the inviolable right to a fair trial at each political level in order to create a liberal and open society