INTERNATIONAL TELECOMMUNICATION UNION

STUDY GUIDE

20
20

SOI
SIMULAÇÃO DE
ORGANIZAÇÕES
INTERNACIONAIS

UNEDI

UNIÃO NORTE-RIOGRANDENSE DOS ESTUDANTES DE DIREITO INTERNACIONAL
SIMULAÇÃO DE ORGANIZAÇÕES INTERNACIONAIS
INTERNATIONAL TELECOMMUNICATION UNION

COORDINATING PROFESSOR	Diogo Pignataro de Oliveira
ADJUNCT COORDINATING PROFESSOR	Thiago Oliveira Moreira
UNEDI BOARD OF DIRECTORS	**Secretary-General** Thaís Coelho Leal
	Vice Secretary-General Rafael Sampaio Bezerra
	First Secretary Júlio Silvestre Martins
	Second Secretary Maria Luiza Santos Nóbrega
	First Treasurer Lívia Vieira Almeida
	Second Treasurer Marina Olívia Sousa e Silva
	Academic Secretary Ana Karolina Gameleira da Costa
ITU BOARD OF DIRECTORS	**Academic Director** Mariana Lara Borges Pinto
	Assistant Directors Felipe Abreu Freitas Isac Levy Arcanjo Andrade José Narciso de Souza Neto Maria Ruthiane Basílio Ramalho Pedro Paulo Machado Leocádio
	Tutor Diego Fernandes Lopes

Natal/RN
2021

ABOUT THE AUTHORS

Mariana Lara Borges Pinto, 25 years old, attends Audiovisual Communication at UFRN. Regarding her experience in Model United Nations (MUN), it includes: Delegate at CII in 2018 (SOI); Assistant Director at UNICEF in 2019 (UNEMUN); Delegate at CII in 2019 (PEMUN) and Assistant Director at INTERPOL in 2019 (Mini SOI). Currently, she is the Academic Director at ITU in SOI 20.

Felipe Abreu Freitas, 20 years old, attends Law School at UFRN. His experience in MUNs includes: Delegate at UNESCO in 2017 (MiniSONU); Delegate at Office of the President of the Republic of Chile – Salvador Allende – in 2018 (MiniSONU) and Delegate at ASEAN+3 in 2019 (SOI). Currently, he is Assistant Director at ITU in SOI 20.

Isac Levy Arcanjo Andrade, 21 years old, attends Law School at UFRN. His experience in MUNs includes: Delegate at UNICEF in 2015 (MiniSONU); ECOSOC in 2016 and African Union in 2017 (MIB Final - Brasília); CONAMA in 2017 (SINAV, Rio de Janeiro); Churchill's Cabinet 1944 in 2017 (MiniSONU); CSNU in 2018 (SPMUN); Bush's Cabinet 2001 in 2019 (SONU); SPECPOL in 2019 (SONU); ASEAN+3 in 2019 (SOI); Secretary-General at FortalMUN in 2017-2018; Member of the Council in 2019 (MiniFortal); Director at CSNU in 2019 (IFMUN); Member of the Council and Director at CSNU in 2019 (FortalMUN). Currently, he is Assistant Director at ITU in SOI 20.

José Narciso de Souza Neto, 23 years old, attends Law School at UFRN. His experience in MUNs includes: Delegate at the LEA in 2018 and at the OEA in 2019 — both at SOI. Currently, he is Assistant Director at ITU in SOI 20.

Maria Ruthiane Basílio Ramalho, 22 years old, attends Law School at UFRN. Her experience in MUNs includes: Delegate at the ECOSOC in 2019 (SOI). Currently, she is Assistant Director at ITU in SOI 20.

Pedro Paulo Machado Leocádio, 20 years old, attends Law School at UFRN. His experience in MUNs includes: Delegate at the UNSC in 2018 at SOI. Currently, he is Assistant Director at ITU in SOI 20.

Diego Fernandes Lopes, 23 years old, attends Medical School at UFRN. His experience in MUNs includes: Delegate at OAS in 2014 and UNODC in 2015; Assistant Director at IGF in 2017 and Academic Director at the OMS in 2018, all of those in Mini SOI.

Vice Secretary-General at SOI 2019; Delegate at CPCJC in 2019 (PEMUN) and at DISEC in 2019 (PBMUN). Currently, he is the Tutor at ITU in SOI 20.

ABSTRACT

The social nature of the human species, combined with the evolution of the Information and Communication Technologies, and the invention of the internet, has changed the way humans interact with each other and with the world. Consequently, the creation of the digital scope of this world has also affected Law, since it has to constantly evolve to continue safeguarding people's rights. Thus, legislations had to be adapted or even created to comprise this new scope and its complications, one of the main concerns being the privacy of the users and their online data. Having that in mind, in this Guide, through its methodological tools, which were mainly scientific articles – periodicals – books and academic papers – monographs, dissertations and theses –, it is demonstrated the impact of internet in human society; the correlation between the Right to Privacy and the personal data generated online; how this data can be collected and manipulated by the State and the Private Sector to affect the social, economic and political spheres and the consequences of these applications. After all expositions, it is indubitable how personal data has become a valuable asset, not just to the economy but also as a new and powerful weapon, hence its paramount importance and evident necessity to discuss all the matters above mentioned.

Keywords: Digital Privacy. Personal Data. Collection and Manipulation.

ABBREVIATION INDEX

BDSG – *Bundesdatenschutzgesetz*.

ECOSOC – United Nations Economic and Social Council.

EEA – European Economic Area.

IBM – International Business Machines.

ICCPR – International Covenant on Civil and Political Rights.

ICESCR – International Covenant on Economic, Social and Cultural Rights.

ICT – Information and Communication Technologies.

IoT – Internet of Things.

ITU – International Telecommunication Union.

MI6 – Military Intelligence, Section 6.

MIT – Massachusetts Institute of Technology.

NGO – Non-Governmental Organization.

SDGs – Sustainable Development Goals.

ToS – Terms of Service.

UDHR – Universal Declaration of Human Rights.

UN – United Nations.

US – United States.

USA – United States of America.

SUMMARY

1 INTRODUCTION

The constant advancement of technology related to the internet, computer networking and databases improved many sectors of management, telecommunications, and economy worldwide. However, this uncontrolled and fast progress resulted in several legal debates about information, personal data, and copyright, as well as moral and ethical concerns regarding digital privacy, social limits of the internet and cybercrimes.

Regarding that matter, digital privacy as a right is the target of many violations in the 21st century, an era of technological innovations that brought up a latent concern about data security provided to digital platforms.[1] In addition to that, companies are increasingly seeing the internet as a way to profit via the commercialization of personal data, a context made possible, as it will be seen in this study, mostly by the high flow of information on the internet and the current relativization of the right to digital privacy, with people entrusting companies with many aspects of their lives.[2]

Therefore, digital data has become the weapon of the century, hence the utmost importance of bringing this discussion forward, especially on ITU's ambience, as the main goal of the International Telecommunication Union is to connect the world and ensure the fulfilment of the fundamental human right to communicate.

In this sense, through the bibliographical methodology employed, aside from giving a general basis about the committee, it is presented the historical and conceptual grounds of the rights to communication and privacy, as well as the internet's manifestation on the daily lives, focusing on the manipulative aspect and how it is presented on the different spheres of the contemporary society.

Thusly, this guide, in light of the recent events of worldwide repercussion, seeks to shed a light on how the internet, by the collection and manipulation of data, affects the fruition of civil rights, thereby directly impacting how we interact with one another and the world.

---

[1] CNN. **Governments are rushing to regulate the internet. Users could end up paying the price.** Available at: https://edition.cnn.com/2019/04/08/uk/internet-regulation-uk-australia-intl-gbr/index.html. Accessed on: March 20, 2020.

[2] PRIVACY POLICY. **What's Data Privacy Law In Your Country?.** Available at: https://www.privacypolicies.com/blog/privacy-law-by-country/amp/. Accessed on: March 20, 2020.

2 ABOUT THE INTERNATIONAL TELECOMMUNICATION UNION

The International Telecommunication Union is the United Nations (UN) specialized agency for information and communication technologies (ICT). It is committed to connecting all the world's inhabitants by facilitating international connectivity with a series of technical standards that ensure networks and technologies seamlessly interconnect, while also seeking global cooperation to improve access to ICTs on underserved communities worldwide.

2.1 FOUNDATION

When telegraph wires started to link major towns in many countries across Europe in the mid-19th century, various technical and economic inconsistencies between these nations flawed the communication process. The fast expansion of that technology led to a series of bilateral and regional agreements that established standards for telegraphic communication. But even these conventions were marked by contradictions that brought the need for a single comprehensive and multilateral agreement that set technical and economic guidelines for the matter across the continent.[3]

In this context, the French government invited several European states to an International Telegraph Conference in Paris in May 1865. Having international cooperation as its main goal, twenty states signed the International Telegraph Convention[4] and an organization by the name of the International Telegraph Union was born. The convention was an intergovernmental treaty that established the basic principles and a series of specific regulations for international telegraphy. It also stipulated its periodical revision by international conferences to keep up with technical and administrative progress.[5]

Similarly, new challenges were brought to the communications industry as new technologies emerged in the 20th century. The rise of radio transmissions and the increasing part played by the Union on regulating worldwide communication methods beyond the telegraph motivated profound changes to the organization. In 1932, the Madrid

---

[3] INTERNATIONAL TELECOMMUNICATION UNION. **Pre-1865 International Telegraph Agreements.** Available at: https://www.itu.int/en/history/Pages/pre1865agreements.aspx. Accessed on: February 29, 2020.
[4] UNITED NATIONS TREATY COLLECTION. **Constitution and Convention of the International Telecommunication Union.** Available at: https://treaties.un.org/Pages/showDetails.aspx?objid=08000002800b0730. Accessed on: March 14, 2020.
[5] INTERNATIONAL TELECOMMUNICATION UNION. **International Telegraph Conference (Paris, 1865).** Available at: https://www.itu.int/en/history/Pages/PlenipotentiaryConferences.aspx?conf=4.1. Accessed on: March 1, 2020.

Plenipotentiary Conference reunited the Telegraph and the Radiotelegraph conferences and a merge between the two was decided under the name of the International Telecommunication Union (ITU), its current designation, which came into force two years later.[6]

With an agreement made in the late 1940s, the ITU joined the newly founded United Nations (UN) system as a specialized agency for telecommunications affairs.[7] Based in Geneva, Switzerland, the organization contributes to governance processes and coordination mechanisms in the United Nations. It is now the leading advocate on the potential of information and communication technologies and its role in promoting the UN objectives of protection and support for everyone's fundamental right to communicate.[8] As an agency, it also reports to the United Nations Economic and Social Council (ECOSOC) on the issues related to its mandate and activities.

2.2 HISTORY OF CONTRIBUTION AND CONTEMPORARY ACTIVITIES

Being the oldest international organization of the United Nations system,[9] the ITU has been at the center of advances in communication since it was done via telegraphy.[10] From then on, the organization keeps leading the creation and maintenance of the frameworks that made these technologies viable, laying down common economic rules and setting uniform operating instructions for radio transmissions,[11] television broadcasting,[12] satellites,[13] mobile phones,[14] among others. In this sense, the ITU's work in creating a viable environment for the seamless operation of the internet is also present.[15]

---

[6] INTERNATIONAL TELECOMMUNICATION UNION. **International Telegraph Conference (Madrid, 1932).** Available at: https://www.itu.int/en/history/Pages/PlenipotentiaryConferences.aspx?conf=4.5. Accessed on: February 28, 2020.

[7] UNITED NATIONS SYSTEM. **GA RESOLUTION 124(II)** - 15 NOVEMBER 1947. Available at: https://www.unsystem.org/content/ga-resolution-124ii-15-november-1947. Accessed on: March 1, 2020.

[8] INTERNATIONAL TELECOMMUNICATION UNION. **ITU as a UN Specialized Agency.** Available at: https://www.itu.int/en/un/Pages/un-agency.aspx. Accessed on: March 2, 2020.

[9] MPO. **The oldest organization of the UN system, the International Telecommunication Union celebrates 150th anniversary.** Available at: https://www.mpo.cz/en/guidepost/for-the-media/press-releases/the-oldest-organization-of-the-un-system–the-international-telecommunication-union-celebrates-150th-anniversary–158129. Accessed on: Dec. 23, 2019.

[10] INTERNATIONAL TELECOMMUNICATION UNION. **Overview of ITU's History.** Available at: https://www.itu.int/en/history/Pages/ITUsHistory.aspx. Accessed on: March 1, 2020.

[11] Ibid, p. 2.

[12] Ibid, p. 4.

[13] Ibid, p. 5.

[14] Ibid, p. 7.

[15] Ibid. p. 6.

From the early days of modems to today's broadband connections, the expansion of the internet was brought to the world by a series of operational standards and protocols released by multiple agents in the international community,[16] going from early connectivity mechanisms to upcoming technical causes like the implementation of future 5G technologies.[17] Efforts related to cybersecurity,[18] consumer rights and their right to privacy,[19] as well as fostering mutual assistance investments on infrastructure have been at the center of the organization membership discussion.[20]

Regarding security in online spaces, specifically, the ITU has implemented measures to raise awareness on issues such as the development of the so-called Global Cybersecurity Index – a trusted guide that measures the commitment of ITU Member-States and other entities to cybersecurity at a global level.[21] The reasoning behind it was the vision that cybersecurity and privacy protection are "a shared responsibility that requires coordinated action for prevention, preparation, response, and incident recovery on the part of government authorities, the private sector, and civil society".[22]

2.3 ITU'S PURPOSES AND WAYS TO ACHIEVE THEM

For a century and a half since 1865, and now – more than ever – the International Telecommunications Union remains consistently pushing its mission of achieving the best practical solutions for integrating developing technologies. As the global economy moves towards a digital and informational society, the ITU has its part on managing the flaws and vulnerabilities that come with it – along with the Internet Engineering Task Force and the

---

[16] The main internet protocols, TCP/IP, were created by CERN's Vint Cerf. The Web standards came from Tim-Berners Lee. Today, the developing process of internet standards is part of the Internet Engineering Task Force. Available at: https://www.colocationamerica.com/blog/history-of-ip-address-part-2-tcp-ip. Accessed on: May 10, 2020.

[17] ITU NEWS. **ITU's approach to 5G.** Available at: https://news.itu.int/5g-fifth-generation-mobile-technologies/. Accessed on: March 2, 2020.

[18] INTERNATIONAL TELECOMMUNICATION UNION. **ITU Cybersecurity Activities.** Available at: https://www.itu.int/en/action/cybersecurity/Pages/default.aspx. Accessed on: March 3, 2020.

[19] INTERNATIONAL TELECOMMUNICATION UNION. **Council Working Group on International Internet-related Public Policy Issues (CWG-Internet).** Available at: https://www.itu.int/en/council/cwg-internet/Pages/default.aspx. Accessed on: March 3, 2020.

[20] INTERNATIONAL TELECOMMUNICATION UNION. **Internet Policy and Governance** – Development. Available at: https://www.itu.int/en/action/internet/Pages/default.aspx. Accessed on: March 3, 2020.

[21] INTERNATIONAL TELECOMMUNICATION UNION. **Global Cybersecurity Index.** Available at: https://www.itu.int/en/ITU-D/Cybersecurity/Pages/global-cybersecurity-index.aspx. Accessed on: March 4, 2020.

[22] INTERNATIONAL TELECOMMUNICATION UNION. **National Strategies.** Available at: https://www.itu.int/en/ITU-D/Cybersecurity/Pages/cybersecurity-national-strategies.aspx. Accessed on: March 4, 2020.

World Wide Web Consortium – in order to enhance the operation of communication infrastructures, its security and the protection of critical information on a national, regional and international scale.

Going beyond technical aspects of these new technologies, however, the ITU has been a key factor in creating a better environment towards international business collaboration. By bringing all interested parties together to engage in global and regional debates, the Union represents an opportunity to launch innovative public-private partnerships and networking with ICT regulators, policymakers and experts from the industry and academia. In this sense, the UN General Assembly gave to the ITU the mandate to host and promote summits on this matter through a series of resolutions.[23]

While extending business cooperation between developed nations and enhancing their relationship with worldwide stakeholders, the ITU also promotes the discussion of the most relevant social and economic aspects of information and communication technologies to spread its benefits to all the world's inhabitants. Aiming to bring telecommunication services to underserved areas, the ITU's main goals revolves around offering technical and financial aid to developing countries, and promoting innovation focused on cost-efficiency and regional viability.[24]

The Union does so, for instance, by establishing priority policies and releasing reports designed to shine a light on such topics for regulators, policymakers and the broader ITU membership. While providing policy advice, technical assistance, and financial support to these developing nations with the help of other States, the Union creates a convenient environment to overcome national borders and extend the benefits of information and communication technologies to everyone.

Much of this work is done by a set of groups composed of representatives of diverse and competing commercial interests.[25] Whether it's through study circles that let these experts put their differences aside to cooperate continuously on issues that will serve the interests of the entire industry, or focus groups that provide an effective path for members and non-members to address urgent industry issues beyond the mandate of those groups, ITU offers a

[23] WORLD SUMMIT ON THE INFORMATION SOCIETY. **About WSIS:** UN General Assembly Resolution 56/183. Available at: https://www.itu.int/net/wsis/docs/background/resolutions/56_183_unga_2002.pdf. Accessed on: March 2, 2020.

[24] UNITED NATIONS SYSTEM. **International Telecommunication Union.** Available at: https://www.unsystem.org/content/itu. Accessed on: March 4, 2020.

[25] INTERNATIONAL TELECOMMUNICATION UNION. **What we do?.** Available at: https://www.itu.int/en/about/Pages/whatwedo.aspx. Accessed on: March 5, 2020.

vital and efficient service that is already a main driver for social and economic development to the industry.

Also being part of ITU activities, the promotion of a series of events represents another way of the Union to achieve its main goals. The organization holds members-only meetings like seminars and workshops that attract high-level speakers and offer an invaluable forum for person-to-person exchange of ideas on topics that usually become the object of future study groups in the Union. The ITU also has its Academy Program, which trains technicians, regulators, administrators, and local communities in how to best use the power of ICTs to connect the world and fulfil everyone's fundamental right to communicate.[26]

In addition to these events, the Union regularly hosts global and regional events and workshops that are open to non-members. Remarkably, the ITU Telecom World Conference is considered to be a relevant and influential global gathering of government officials and ICT industry representatives, offering a unique opportunity to exchange business ideas and get international exposure for projects, products and innovative solutions in everyone's benefit.[27]

2.4 THE STRUCTURE OF THE ORGANIZATION AND MEMBERSHIP

Representing this unique platform for international public-private partnerships, the Union reunites a rich and diverse network of over twenty-thousand ICT professionals. It is currently comprised of over 190 Member-States split between five administrative regions in order to facilitate management and better address regional demands.[28] All nations are granted equal representation at the Union's highest-level meeting, the Plenipotentiary Conference.

Being the main decision-making organ of the international organization, the Plenipotentiary Conference is held every four years and it's the occasion where Member States delegations[29] gather around to discuss and agree on a joint strategy and financial plans, leadership and direction for the next four years. If appropriate, it can also amend ITU's basic

---

[26] ITU ACADEMY. **About ITU Academy.** Available at: https://academy.itu.int/about. Accessed on: March 5, 2020.

[27] ITU DIGITAL WORLD 2020. **Why take part?.** Available at: https://digital-world.itu.int/events/2020-ha-noi/take-part/. Accessed on: March 6, 2020.

[28] INTERNATIONAL TELECOMMUNICATION UNION. **ITU Member States by Administrative Region.** Available at: https://www.itu.int/online/mm/scripts/mm.world?_languageid=1. Accessed on: March 2, 2020.

[29] A group of representatives freely chosen by the State government based on their roles in the Administration or in the country overall. Past conferences featured speeches from a wide variety of delegates such as CEOs, Agency Chiefs, Legislators, Ministers, Mayors, Ambassadors and even Presidents. Available at: https://www.itu.int/web/pp-18/en/policy-statement. Accessed on: May 10, 2020.

norms.[30] In order to maintain consistency across the Union, these decisions are considered legally binding to its Member-States and should be followed as such.[31]

In the meantime, though, a much smaller council meets annually on behalf of the Plenipotentiary Conference to ensure that the Union's activities, policies, and strategies stay up to date with the rapidly changing telecommunication environment.[32]

In addition to the sovereign nations that are part of the Union, its Sector Membership program represents a distinct area that keeps evolving in line with major trends in the industry. Split between Platinum and Gold memberships, over 900 companies from the internet, health, financial, industrial and other utility sectors can be found working closely with universities, international and regional organizations, governments, as well as other stakeholders in a common effort to put in place the right rules to drive investment, innovation and widely shared opportunities in a path to sustainable growth.[33] [34] [35]

All those Member States and entities are reunited around three main sectors of the Union, each one of them related to a specific area of focus. The oldest one, ITU-T, represents the organization's original purpose of standardization. It is responsible for reuniting countries and companies, no matter how small or large, with equal rights to influence the development of international standards known as Recommendations. Each year, over 150 standards are produced and revised by ITU-T in a contribution-led, consensus-based approach that regulates internet access, voice and video compression, home networking, and a myriad of other aspects of ICTs.[36]

Another branch of the organization revolves around ensuring an optimal operation of the radio-frequency spectrum and satellite-orbit resources and its rational and fair use. Here,

[30] ITU NEWS. **What you need to know about the ITU Plenipotentiary Conference.** Available at: https://news.itu.int/what-you-need-to-know-about-the-itu-plenipotentiary-conference-2018/. Accessed on: March 5, 2020.

[31] COOPERATIVE CYBER DEFENCE CENTRE OF EXCELLENCE. **International Telecommunication Union.** Available at: https://ccdcoe.org/organisations/itu/. Accessed on: March 14, 2020.

[32] UNITED NATIONS SYSTEM. **Structure.** Available at: https://www.unsystem.org/content/itu?qt-view__field_collection_view__default=1#qt-view__field_collection_view__default. Accessed on: March 5, 2020.

[33] INTERNATIONAL TELECOMMUNICATION UNION. **Platinum Sector Members.** Available at: https://www.itu.int/en/membership/top-contributors/Pages/industry-contributors.aspx. Accessed on: March 3, 2020.

[34] INTERNATIONAL TELECOMMUNICATION UNION. **Gold Sector Members.** Available at: https://www.itu.int/en/membership/top-contributors/Pages/gold-industry-contributors.aspx. Accessed on: March 3, 2020.

[35] INTERNATIONAL TELECOMMUNICATION UNION. **About International Telecommunication Union (ITU).** Available at: https://www.itu.int/en/about/Pages/default.aspx. Accessed on: March 1, 2020.

[36] ITU-T. **ITU-T in brief.** Available at: https://www.itu.int/en/ITU-T/about/Pages/default.aspx. Accessed on: March 6, 2020.

the ITU-R's mission is to make sure that radio-transmissions around the world and procedures for space systems and earth stations meet the necessary performance and quality standards conserving its spectrum through the implementation of the Radio Regulations and other regional agreements.[37] Its part in managing the explosive demand for spatial communication services is specifically relevant due to its vital role in a growing range of technologies across the globe.

The last and most recent area sector of the Union was established in 1992 by the name of ITU-D. Representing the development sector of the Union, it is responsible for spreading equitable, sustainable and affordable access to information and communication technologies in the developing world. With that in mind, it implements several initiatives and publishes comprehensive and reliable ICT statistics on the matter regularly, always focusing on fostering international cooperation and solidarity in line with the United Nations principles for global cooperation and mutual assistance.[38]

---

[37] ITU-R. **Welcome to ITU-R.** Available at: https://www.itu.int/en/ITU-R/information/Pages/default.aspx. Accessed on: March 6, 2020.
[38] ITU-D. **About the ITU-D and the BDT.** Available at: https://www.itu.int/en/ITU-D/Pages/About.aspx. Accessed on: March 7, 2020.

3 COMMUNICATION AS FUNDAMENTAL HUMAN RIGHT

The International Telecommunication Union's main goal is to connect the world. It secures the fundamental human right to communicate through the creation and regulation of technical, structural, administrative, economic, social and legal guidelines and standards.

This can be summarized by ITU's slogan: "Committed to Connecting the World".[39] Therefore, it is important to understand what is communication, its relevance in our societies, why it is a fundamental right and which laws establish it as such, in all of its aspects.

3.1 THE DEFINITION OF COMMUNICATION

Defining what "communication" means in all its depth is not a simple task. Starting with the etymology of the word itself, it originates from the Latin *communicatio* and its literal translation is "to make common", meaning "the act to share, divide or/and distribute". The term derives from the Latin word, *communis*, which is "something shared by many, public, general".[40]

The Cambridge Dictionary, on the other hand, defines communication with three main statements. First, "the process by which messages or information is sent from one place or person to another; or the message itself"; secondly, "the process of sharing information, especially when this increases understanding between people or groups" and at last, "the exchange of information and the expression of feeling that can result in understanding".[41]

The combination of these two viewpoints allows inferring that communication is the act of making information public to the world, in any way understandable. This "information" can include thoughts, feelings and beliefs but is not limited to just it. Also, at first "the world" would only comprise the immediate space around oneself. Later, with the technological progress of humanity, it would indeed encompass the whole world itself.

Remarking the social nature of the human species — or as Aristotle defines humans, *zoon politikon* — it can be perceived that an individual can only achieve completeness when it

---

[39] INTERNATIONAL TELECOMMUNICATION UNION. **About International Telecommunication Union (ITU)**. Available at: https://www.itu.int/en/about/Pages/default.aspx. Accessed on: March 6, 2020.
[40] ONLINE ETYMOLOGY DICTIONARY. **Communication**. Available at: https://www.etymonline.com/search?q=communication. Accessed on: March 6, 2020.
[41] CAMBRIDGE DICTIONARY. **Communication**. Available at: https://dictionary.cambridge.org/dictionary/english/communication. Accessed on: March 6, 2020.

is part of the society of an organized community (the city, or *polis*).[42] Therefore, communication is at the very core of human relations and stands, consequently, as a pillar of the human experience as a whole. This is what makes it so fundamental to the point of requiring protection, respect and to be guaranteed in its every aspect by written laws.

3.2 BRIEF HISTORICAL NOTIONS ABOUT THE RIGHT TO COMMUNICATION

In the international society, the right to communication appears written for the first time in the International Bill of Human Rights. It's the first set of international documents that groups the main fundamental human rights which are to be universally protected, respected and applied to and by all peoples and nations. It consists of three main documents: the Universal Declaration of Human Rights (UDHR); the International Covenant on Civil and Political Rights (ICCPR); and the International Covenant on Economic, Social and Cultural Rights (ICESCR).[43]

The first and most primordial form of the right to communicate is stated at the UDHR, proclaimed by the UN General Assembly, in Paris, on December 10, 1948. It is asserted in Article 19: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers".[44]

It is the most basic form to declare that every human being is free to state their own thoughts according to their own will. However, the matter of what are the limits to this freedom still needed to be established, in an international way. The folk wisdom "the right of one ends where the right of another begins" is a useful shorthand for one of law's basic fundamentals: isonomy or, simply, equality.[45]

That is precisely where the ICCPR enters, as it not only reiterates the UDHR, but it is also the first written international law to state the main restrictions of speech. The Covenant came eighteen years after the UDHR and was adopted by the United Nations General Assembly on December 19, 1966. According to it, also in Article 19, it's stated that:

---

[42] BRASIL ESCOLA. **The concept of political animal in Aristotle**. Available at: https://brasilescola.uol.com.br/filosofia/o-conceito-animal-politico-aristoteles.htm. Accessed on: March 6, 2020.
[43] ONU BRASIL. **The Universal Declaration of Human Rights**. Available at: https://nacoesunidas.org/direitoshumanos/declaracao/. Accessed on: March 6, 2020.
[44] UNITED NATIONS. **Universal Declaration of Human Rights**. Available at: https://www.un.org/en/universal-declaration-human-rights/. Accessed on: March 6, 2020.
[45] OXFORD REFERENCE. **Isonomy**. Available at: https://www.oxfordreference.com/view/10.1093/oi/authority.20110803100013129. Accessed on: March 6, 2020.

1. Everyone shall have the right to hold opinions without interference.
2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
(a) For respect of the rights or reputations of others;
(b) For the protection of national security or of public order (ordre public), or of public health or morals.[46]

Thus, humankind is granted the right of its three main communicational freedoms: of thought, of speech and of press.

---

[46] UNITED NATIONS HUMAN RIGHTS OFFICE OF HIGH COMMISSIONER. **International Covenant on Civil and Political Rights**. Available at: https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx. Accessed on: March 6, 2020.

4 HISTORICAL NOTIONS ABOUT THE RIGHT TO PRIVACY

Societies and cultures change, bringing diverging interpretations to old topics. The definition of privacy and intimacy are one such subject. Through the ages, the Law safeguards the privacy of the individuals according to the conformation given to this theme by the society of the time, as the Latin maxim states: *Ubi societas, ibi jus,* which basically means that where there is society, there is law.[47]

In this sense, the approach to the right to privacy has been worked, over time, according to the structure of each civilization, being the protection of what is not in the public domain, in safekeeping only of the individual or also of the people close to him.[48] Therefore, being performed differently during Antiquity, Medieval, Modernity and the present Contemporary era, since the forms of access to information and the type of political regime directly impact the enjoyment of rights.[49]

4.1 CLASSICAL ANTIQUITY

As commonly known, Western Law was born in ancient democracies, based primarily on the Hellenic city-states, the *polis*, and improving itself in the *civitas* of the Roman Empire, which originated the legal model of civil law and its notions of privacy.[50] In a detailed historical account, such perspective was originated from the gradual change of power from the hands of the aristocracy, where it was in a private sphere - royal and noble families -, to the ordinary citizens in the exercise of a public function.[51] Thus, there is a clear distinction between the public and the private sphere, in a supremacy of the first over the latter.

---

[47] REALE, Miguel. **Lições Preliminares de Direito.** 27. ed. São Paulo: Editora Saraiva, 2004, p. 2.

[48] CRESTE, Maria Victória Antunes; TEBAR, Wilton Boigues Corbalan. A tutela do direito à intimidade e à privacidade perante o avanço das redes sociais. **ETIC** – Encontro de Iniciação Científica, v. 13, n. 13, 2017, p. 3. Available at: http://intertemas.toledoprudente.edu.br/index.php/ETIC/article/view/6162. Accessed on: March 1, 2020.

[49] HIRATA, Alessandro. **Direito à privacidade**. Enciclopédia jurídica da PUC-SP. Celso Fernandes Campilongo, Alvaro de Azevedo Gonzaga e André Luiz Freire (coords.). Tomo: Direito Administrativo e Constitucional. Vidal Serrano Nunes Jr., Maurício Zockun, Carolina Zancaner Zockun, André Luiz Freire (coord. de tomo). 1. ed. São Paulo: Pontifícia Universidade Católica de São Paulo, 2017. Available at: https://enciclopediajuridica.pucsp.br/verbete/71/edicao-1/direito-a-privacidade. Accessed on: March 1, 2020.

[50] Victoria Cromwell (2019) explains that "Civil law systems rely on written statutes and other legal codes that are constantly updated and which establish legal procedures, punishments, and what can and cannot be brought before a court". *In* Common Law Vs. Civil Law: an introduction to the different legal systems. Available at: https://barbriqlts.com/common-law-vs-civil-law-an-introduction-to-the-different-legal-systems/. Accessed on: March 16, 2020.

[51] CERQUEIRA, Fábio Vergara. As origens do Direito ocidental na pólis grega. **Revista Justiça & História**, v. 2, n. 3, 2002, p. 2-3.

However, the private sphere, concerning the work and survival needs of the individual and family,[52] also has a fundamental role. Thereby it is given due respect, since from the private space emanates the main condition for a man – being a family leader and owner of his home – to participate in political life, expressing his citizenship.[53]

Therefore, the relevance of the public sphere over the private once again is notorious, inducing the construction of a whole new *ethos*[54] for the individual. This leads to the private life being relegated to a lower plane, since, in Antiquity, as highlighted by Aristotle, the city takes precedence over the family and each individual, as the whole must necessarily take precedence over the parts.[55]

In this way, due to the disparity of importance between the public and the intimate, the Right to Privacy in its first manifestations in Classical Antiquity was incipient, close to total irrelevance, as the real focus of attentions resided on the exercise of Democracy, while the private was reserved to labours and physical needs.

4.2 MEDIEVAL AGES

Due to the considerable distance between the feuds, until the collapse of the Middle Ages the idea of individuality was insignificant. Most decisions had a collectivist character,[56] linked to large social institutions, in general, Catholic. However, through the deep-rooted theocentric Christian premises of love for neighbour and promotion of good, the basis of individuality begun, observing the individual nature imbued of values, created in the image of god,[57] which diverges from the purely institutional perspective (as a body) which the individual was taken into consideration by Roman Law.

Furthermore, the grouping of such individuals in family *nuclei*, came to symbolize an intimate space, in distinction from the public, with the aggregation of personal interests, be it

---

[52] FERRAZ JÚNIOR, T. S. Sigilo de dados: o direito à privacidade e os limites à função fiscalizadora do Estado. **Revista da Faculdade de Direito**. Universidade de São Paulo, v. 88, 1993, p. 440.

[53] ARENDT, Hannah. **A condição humana**. Translated by Roberto Raposo. 10. ed. Rio de Janeiro: Forense Universitária, 2007, p. 39.

[54] According to the Cambridge Academic Content Dictionary, *ethos* means "the set of moral beliefs, attitudes, habits, etc., that are characteristic of a person or group". Available at: https://dictionary.cambridge.org/pt/dicionario/ingles/ethos. Accessed on: March 16, 2020.

[55] ARISTÓTELES. **Política**. Translated by Mário da Gama Kury. Brasília: Editora Universidade de Brasília, 1985, p. 15-16.

[56] PIRES NETO, Ari Alvares. **A privacidade dos registros públicos disponibilizados na internet**. 2008. 116 f. Dissertação (Mestrado) – Curso de Direito, Pontifícia Universidade Católica do Rio de Janeiro, Rio de Janeiro, 2008, p. 62.

[57] PIRES NETO, op.cit., p. 62-63.

sleep, meals, religion or even thoughts.[58] Such a cult of privacy, according to Danilo Doneda,[59] became the fashion of the wealthiest, generally among families belonging to the nobility, especially, as discussed by Agostini, due to the fact that these family *nuclei* also used to be the centers of political power at the time, constituting great dynasties from the same noble house.[60]

In this sense, due to the observed political and geographic decentralization, the public is confused with the private under the custody of the nobility. This scenario is magnified by the political ignorance, marginalizing the ordinary population in terms of decisions related to the exercise of power. In addition to that, the early stages of fundamental rights also left little room for concerns about privacy when the public and the private were deeply entangled and the major concern of the common population was subsistence through agriculture and artisanal production.[61]

However, it is important to highlight that the emergence and rapid expansion of the bourgeoisie by trade activities, with their economic and ideological demands, in addition to the creation of universities, founded strong bases for the debate on the protection of personal rights, a role in which the right to privacy fits.[62]

4.3 MODERNITY

With the final moments of feudalism and the expansion of the bourgeois class, the search for a standard of living previously available only to noble families grew. As a way of distinguishing from the other classes and approximating to the ways of the nobility, the bourgeois demarcates barriers, in a clear appropriation of spaces, which denotes a search for the protection of their intimacy.[63] [64] This perspective intensified during the Renaissance, when the idea of Anthropocentrism surpassed Theocentricism. Anthropocentric ideas placed the

---

[58] DONEDA, Danilo. **Considerações Iniciais sobre os bancos de dados informatizados e o direito à privacidade**. Available at: http://www.egov.ufsc.br/portal/sites/default/files/anexos/8196-8195-1-PB.htm. Accessed on: March 15, 2020.

[59] DONEDA, 2006 apud CANCELIER, 2017, p. 215.

[60] AGOSTINI, 2011 apud CANCELIER, 2017, p. 215.

[61] MERTENS, Fábio Alceu. Análise histórica e legislativa do princípio constitucional da inviolabilidade à vida privada e à intimidade. **Revista Eletrônica Direito e Política**, v. 1, n. 1, 2006, p. 184-185.

[62] MERTENS, op. cit., loc. cit.

[63] VIEIRA DE LORENZI CANCELIER, Mikhail. O direito à privacidade hoje: perspectiva histórica e o cenário brasileiro. **Seqüência:** Estudos Jurídicos e Políticos, Florianópolis, v. 38, n. 76, p. 213-240, set. 2017. ISSN 2177-7055. Available at: https://periodicos.ufsc.br/index.php/sequencia/article/view/2177-7055.2017v38n76p213. Accessed on: March 2, 2020.

[64] RODOTÀ, Stefano. **A vida na sociedade da vigilância hoje**. Translated by Danilo Doneda and Luciana Cabral Doneda. Rio de Janeiro: Renovar, 2008, p. 27.

human being and rationality at the center and as the source of knowledge, alluding to the rights of the personality.[65]

When the French Revolution arrived, fundamental rights gained more strength, essentially due to the principle of the dignity of the human person. Since then it's been guaranteed in most modern Constitutions in an inalienable and imprescriptible character. This logic derived from human nature and thus extended to all fundamental rights.[66]

Also, the codifications of Law began to be outlined to contemplate the new perspective that the State existed to serve society, and not the other way around, as happened in Classical Antiquity.[67] In this sense, with Modernity, the individual has his fundamental rights, amongst them the right to privacy, safeguarded at a constitutional level.[68]

Furthermore, due to the rising Liberalism, there is a dichotomy between the State and society, as well as between both of them and the individual. The private sector needs the State to assure certain guarantees such as free competition and private property - *status negativus*. However, the individual himself also needs protection against his reification by the market - *status positivus* -,[69] an attitude of savagery that would disrespect the individual's intimacy and private life, operating him as an object in order to obtain greater profits.[70]

Finally, there is even greater clarity on the subject of the right to privacy during modern times within the advent of the Industrial Revolution, which, by modifying the modes of production, provoked a separation of the nuclei of work, no longer familiar, in a progressive distance between the two spheres.

This change, however, happened mainly for the bourgeoisie, since the precarious material conditions of the working class barely allowed any preservation of intimacy.[71] Still, due to the growing demands about privacy, there were some important milestones in

---

[65] PIRES NETO, Ari Alvares. **A privacidade dos registros públicos disponibilizados na internet**. 2008. 116 f. Dissertação (Mestrado) – Curso de Direito, Pontifícia Universidade Católica do Rio de Janeiro, Rio de Janeiro, 2008, p. 63.
[66] Ibid., p. 64.
[67] MERTENS, Fábio Alceu. Análise histórica e legislativa do princípio constitucional da inviolabilidade à vida privada e à intimidade. **Revista Eletrônica Direito e Política,** v. 1, n. 1, 2006, p. 184-185.
[68] PIRES NETO, op. cit., p. 64.
[69] LIMBERGER, Têmis. **Direito e informática:** o desafio de proteger os direitos do cidadão. In: Direitos, Fundamentais, Informática e Comunicação algumas aproximações. SARLET, Ingo Wolfgang (Org.), Porto Alegre: Livraria do Advogado, 2007a, p. 198.
[70] FERRAZ JÚNIOR, T. S. Sigilo de dados: o direito à privacidade e os limites à função fiscalizadora do Estado. **Revista da Faculdade de Direito,** Universidade de São Paulo, v. 88, 1993, p. 441.
[71] RODOTÀ, Stefano. **A vida na sociedade da vigilância hoje**. Translated by Danilo Doneda and Luciana Cabral Doneda. Rio de Janeiro: Renovar, 2008, p. 26-27.

Modernity, such as the statements of Human Rights promulgated in Virginia (1776) and in France (1789).[72]

4.4 CONTEMPORARY ERA

It is customary to point out that the initial landmark regarding the right to privacy in the contemporary era was the case of Samuel Warren (1890) – future Justice of the US Supreme Court. After having certain intimate facts publicized without authorization and distorted by sensationalism, he wrote, together with Louis Brandeis, an article to Harvard Law Reviews, about the doctrine of the right to privacy. "The Right to Privacy" was a famous production, as, in addition to being a pioneer work, it was also based on the rights of the personality, acclaimed by the bourgeoisie of the period.[73]

According to the authors, privacy was being frankly invaded by the media, in disregard for the protection of the human personality, since even the family's private space was being invaded. We witness here the transformation of what used to be just an idle vice – gossip – into a commercial product.[74]

Thus, Warren and Brandeis, invoking a judicial precedent postulated in 1888 by the chief justice of the Michigan Supreme Court on a possible "right to be let alone", underscore the need to create limits to State and third party powers over invasion and privacy control, since the judicial tools available at that time were insufficient, leaving this function to the jurisdiction of the US courts.[75]

More than 50 years later, within the end of the Second World War and the subsequent shock that took over humanity after the institutionalized barbarities that occurred then,[76] the perspective of Human Rights gained strength in the international community. It resulted in the Universal Declaration of Human Rights (UDHR), which expressly states in its article 12: "No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to

---

[72] MERTENS, Fábio Alceu. Análise histórica e legislativa do princípio constitucional da inviolabilidade à vida privada e à intimidade. **Revista Eletrônica Direito e Política**, v. 1, n. 1, 2006, p. 186.
[73] PIRES NETO, Ari Alvares. **A privacidade dos registros públicos disponibilizados na internet**. 2008. 116 f. Dissertação (Mestrado) – Curso de Direito, Pontifícia Universidade Católica do Rio de Janeiro, Rio de Janeiro, 2008, p. 65.
[74] WARREN, Samuel Dennis; BRANDEIS, Louis. The right to privacy. **Harvard Law Review**, v. 4, n. 5, 1890, p. 195.
[75] PIRES NETO, op.cit., loc. cit.
[76] MERTENS, Fábio Alceu. Análise histórica e legislativa do princípio constitucional da inviolabilidade à vida privada e à intimidade. **Revista Eletrônica Direito e Política**, v. 1, n. 1, 2006, p. 188.

the protection of the law against such interference or attacks",[77] therefore officially recognizing the right to privacy, being the signatory countries obliged to establish and sustain its protection.

In the 1960s, when ICTs started being used, as there were only a few enterprises and users working with such technology, it was easy for the State to identify and punish those who disrespected the newly birthed right to privacy. However, with the exponential adherence to information technologies, especially considering their increasing capacity for collecting and handling data,[78] which constituted a serious threat against integrity and personal data privacy, the regulations prescribed by the UDHR were fundamental and came to be outlined.

These normatives gained even more governmental attention in the 70s, after the failure of the two first generations of laws.[79] In this sense, the Convention for the Protection of Human Rights and Fundamental Freedoms was organized in 1950 – bringing to light Article 8 – as well as the American Convention on Human Rights in 1969, with emphasis on Article 11, paragraph 2.[80]

As for national legal systems, the first law on data protection had its origin in the state of Hesse (Germany) in 1970 – last amended in 2019, the *Bundesdatenschutzgesetz* (BDSG), which aimed at controlling the process of personal data by the public administration - be it Federal or from the states (*Länder*) – or by private bodies, when involving automated processing of data.[81] The BDSG was followed by the *Datalegen*, in 1973, in Switzerland; the Privacy Act, in 1974, in the USA; and the Law 78-17, in France.[82]

All those implementations served as a positive initial base for a legal coverage that continues to receive new guarantees – such as: the General Data Protection Regulation (2018) from the European Union that, in light of fundamental rights and freedoms, sets regulations

---

[77] UNITED NATIONS GENERAL ASSEMBLY. **Human Rights Declaration.** Available at: http://www.un.org/en/universal-declaration-human-rights/. Accessed on: March 3, 2020.
[78] PRIVACY INTERNATIONAL. **Privacy and Human Rights:** an international survey of privacy laws and practice. Available at: http://gilc.org/privacy/survey/intro.html#right. Accessed on: March 3, 2020.
[79] DONEDA, 2000 apud BATTEZINI, 2017, p. 57.
[80] WEINGARTNER NETO, Jayme. **Honra, privacidade e liberdade de imprensa:** uma justificação penal. Porto Alegre: Livraria do Advogado, 2002, p. 75.
[81] GERMANY. **Federal Data Protection Act**, of 30 June 2017. Available at: https://www.gesetze-im-internet.de/englisch_bdsg/englisch_bdsg.html#p0012. Accessed on: March 16, 2020.
[82] PRIVACY INTERNATIONAL. **Privacy and Human Rights:** an international survey of privacy laws and practice. Available at: http://gilc.org/privacy/survey/intro.html#right. Accessed on: March 3, 2020.

for the processing and free movement of data from natural persons; as well as the Brazilian General Data Protection Law.

Hence, it is a context that will remain in expansion for a long time, considering the new emerging technologies and how valuable, from the economic and political aspect, the collection and use of personal data has been to contemporary societies, justifying the need to develop and improve national and international regulations as to safeguard, through the guarantee of personal data privacy, the individual's integrity, and well-being.

5 THE USE OF INTERNET AND ITS INFLUENCE ON DAILY LIFE

The idea of personal space and intimacy has changed due to the advent of the internet. It allowed real time interaction with loved ones, friends and even unknown people all over the world regardless of distance. The current trend of social media further increased and amplified the effect, both making the way to interact with the world to be rethought. It has also affected a number of different areas, from new business opportunities with the rising tide of start-ups to new ways to organize and broadcast social gatherings such as cultural or political events.[83]

In view of the significant impact of the internet on people's daily lives and the increasing number of devices connected to it, a new concept emerged as an indicator of its ubiquitous presence nowadays. This concept is of the Internet of Things (IoT), which

> In general, it can be included as an environment of physical objects interconnected with the internet by means of small and built-in sensors, creating an ecosystem of omnipresent use, aimed at facilitating the daily use of people, introducing functional solutions in the processes of the day-to-day.[84]

Although it is often invisible, the Internet of Things is now an increasingly present daily reality. It encompasses, for example, devices such as smartwatches, connected home appliances and elevator sensors. Thus, the Internet of Things has immeasurable uses and is very present in the current reality, which improves the operation of many tasks that were previously done analogously.

Despite its potential uses, criticisms have been written about what has been deemed "Internet of Useless Things" — devices whose utility is not improved by being connected to the internet. In this way, by differentiating products from the internet of things according to their usefulness, some studies have been developed on this topic in order to differentiate the Internet of Useful Things[85] from the Internet of Useless Things. Thus, unusual products, such as thermoses with sensors and refrigerators with Twitter, would possibly be considered tools that oppose the Internet of Useful Things.[86]

---

[83] DENTZEL, Zaryn. **How the Internet Has Changed Everyday Life**. Available at: https://www.bbvaopenmind.com/en/articles/internet-changed-everyday-life/. Accessed on: March 4, 2020.

[84] MAGRANI, Eduardo. **A Internet das Coisas**. Rio de Janeiro: FGV Editora, 2018, p. 20.

[85] Internet of Useful Things is a widespread term by technology blog MeioBit. Available at: http://meiobit.com. Accessed on: April 16, 2020.

[86] MAGRANI, Eduardo. **Entre dados e robôs:** ética e privacidade na era da Hiperconectividade. Porto Alegre: Arquipélago Editorial, 2019, p. 32.

In truth, the excessive growth of IoT has raised issues around cybersecurity (how to protect the ever-increasing number of vulnerable devices), mass surveillance (their use for massive and unregulated data collection by governments, private sector and criminal agents), the environment (pollution generated by the mass production and disposal of devices) and even for the internet's structure as a whole. Thus, the risks brought by IoT require some precautions such as keeping drives and operating systems up to date, protecting devices with antivirus and with more complex passwords, as well as properly disposing of electronic devices.[87]

5.1 THE USE OF INTERNET FOR PERSONAL PURPOSES

For personal purposes, the internet contributes in a very useful way to its users, enabling various services, from educational sites to social networking sites. Although positive, the internet can be considered a powerful weapon, depending on who uses it, due to its potential for impact at large scale, as well as the global dependence on it. All of this, added to the false sense of anonymity that users have on the internet, demands caution and, above all, responsibility when accessing this network.

In the sphere of education, the development of ICTs and the wide-ranging effects of globalization are changing what the people are and the meaning of cultural identity. The concepts of space, time, and distance are losing their conventional meanings. Through the internet many people find opportunities for higher learning, oftentimes to populations that would be entirely unable to attend on-site classes. The Web enabled the scalable inclusion of an untold number of students.[88]

In the cultural sphere, online tools have opened up new market horizons for artists and consumers alike. In this sense, cultural productions can now be easily disseminated, oftentimes under innovative business models and in free and open copyright licenses. Thus, these new opportunities allow the regular individual has the closest he or she ever had to broad and unrestricted access to culture, in addition to allow the emergence of new forms of expression of art and the dissemination of knowledge.

---

[87] OLIVEIRA, Déborah. **10 riscos da Internet das Coisas até então esquecidos**. Available at: https://www.itforum365.com.br/10-riscos-da-internet-das-coisas-ate-entao-esquecidos/. Accessed on: April 19, 2020.
[88] DENTZEL, Zaryn. **How the Internet Has Changed Everyday Life**. Available at: https://www.bbvaopenmind.com/en/articles/internet-changed-everyday-life/. Accessed on: March 5, 2020.

The internet, therefore, has changed the way we interact with our personal relationships in general, mainly through social networks, which allowed the connection to the World Wide Web in a simpler, more accessible and more immediate form. Thus, nowadays we can carry numerous aspects of our life in the palm of our hands, inside smartphones, or in our pulses, inside smartwatches.[89]

In the context of the covid-19 pandemic, internet use has increased exponentially, mainly due to social isolation. Therefore, many individuals had to adopt a remote life model to perform their activities, which were formerly performed *in loco*, such as work, studies, and leisure.

Thus, with the increase in social distance, human beings sought new ways to connect, mainly through video chat, which further increased the contact of those who previously only used the internet for occasional purposes.[90] UK internet use, for example, more than doubled in 2020 as people stayed more at home during the coronavirus pandemic.[91]

Besides, nearly all internet users go online to conduct some of their ordinary day-to-day activities, from mundane tasks to social arrangements and leisure. As proof of this impact that the online world has brought to the lives of many people, a Pew Research Center survey,[92] for example, points out that 88% of online North Americans say the internet plays a role in their daily routines. Among those, one-third says it plays a major role, and two-thirds say it plays a minor role.

 The activities they identified as most significant are communicating with family and friends and finding a diversity of information at their fingertips. Also, 64% of internet users say their daily routines and activities would be affected if they could no longer use the internet and 53% say they do more of certain everyday activities simply because they can execute them online – the most popular being communicating with family and friends and looking up information.[93]

---

[89] DENTZEL, Zaryn. **How the Internet Has Changed Everyday Life**. Available at: https://www.bbvaopenmind.com/en/articles/internet-changed-everyday-life/. Accessed on: March 8, 2020.
[90] KOEZE, Ella; POPPER, Nathaniel. **The Virus Changed the Way We Internet**. Available at: https://www.nytimes.com/interactive/2020/04/07/technology/coronavirus-internet-use.html. Accessed on: June 23, 2021.
[91] BBC NEWS. **UK internet use doubles in 2020 due to pandemic**. Available at: https://www.bbc.com/news/technology-55486157. Accessed on: June 23, 2021.
[92] PEW RESEARCH CENTER. **The Internet and Daily Life**. Available at: https://www.pewresearch.org/internet/2004/08/11/the-internet-and-daily-life/. Accessed on: March 8, 2020.
[93] Ibidem.

5.2 THE USE OF INTERNET FOR UTILITY PURPOSES

There are, of course, pragmatic uses for the internet. Online marketplaces allow for the buying and selling of goods, both digital and physical, and the widespread data collection in exchange for online services enabled a new era of targeted advertising.

In this way, since growth opportunities can be developed more intensely through electronic commerce, encouraging this tool among small and medium-sized companies is very important. Thus, adapting to the global trend of the internet, many businesses are expanding online. Therefore, the emphasis on personal training in relation to new technologies in the academic and business spheres is already a seen alternative to accompany technological revolutions.[94]

Thusly, the enormous diversity offered by the internet in relation to news, leisure and products in general makes room not only for the development of this network, which through new technologies is increasing its speed, but also of electronic commerce, which has become an important channel of distributing goods and services.[95]

In this setting, the greater access of consumers to information allows them to analyse the experiences of other internet users with various products and services, guaranteeing greater advantage and convenience to the consumer, to the detriment of conventional methods of purchase, distribution and marketing. Thus, the access to comparisons and product classifications, analyses, comments and recommendations from users, especially those who have greater influence on the network, the Digitals Influencers[96], has an impact on consumer behaviour, retail business and the economy in general.[97]

Besides, the field of social communication is being progressively reinvented due to technology, which is making the world more digital. In this sense, the future will be shaped by innovation converging with the impact of mobile technologies, capable of facilitating this reinvented communication through the internet.[98]

---

[94] DENTZEL, Zaryn. **How the Internet Has Changed Everyday Life**. Available at: https://www.bbvaopenmind.com/en/articles/internet-changed-everyday-life/. Accessed on: March 8, 2020.
[95] Ibidem.
[96] Digital Influencer is someone who has influence over his or her followers and influencer marketing identifies these individuals in order to reach potential buyers. Available at: https://www.reportbrain.com/what-is-a-digital-influencer-and-influencer-marketing/. Accessed on: April 19, 2020.
[97] DENTZEL, Zaryn. **How the Internet Has Changed Everyday Life**. Available at: https://www.bbvaopenmind.com/en/articles/internet-changed-everyday-life/. Accessed on: March 8, 2020.
[98] Ibidem.

Another opportunity provided by the internet is the participation in the fight for political causes. Social media has become a platform for social and political activism, known by the term slacktivism, which according to the Cambridge Dictionary means "activity that uses the internet to support political or social causes in a way that does not need much effort, for example creating or signing online petitions".[99] Thus, many mobilizations take place online as a way for internet users to claim their interests remotely.

Therefore, the internet has a strong impact on social, ideological and political causes, since users' manifestations are defended online and can win the support of other citizens who share these same values, which can often influence the decision-making process of public decisions.[100] Then, the internet has proved to be a decisive communication tool in the latest election campaigns.

The pragmatic face guaranteed by the internet, on the other hand, denounces itself as a dangerous tool due to the exposure of users' personal data on it. Such data can be collected by companies and used to delineate a profile of the user and, from there, disseminate directed advertisements and news in a personalized way, configuring a form of digital manipulation.

As a notable example of such manipulation, there is the case of Cambridge Analytica, which, using an intermediary app, was able to harvest large data volumes – over 50 million raw profiles – and use big data analytics to create psychographic profiles in order to subsequently target users with customized digital ads and other manipulative information. According to some observers, this massive data analysis tactic might have been used to purposively swing election campaigns around the world.[101]

Another case that exposes data leakage and user manipulation is what happened in Finland in 2020, in which the confidential treatment records of tens of thousands of psychotherapy patients were hacked and some leaked online. In this regard, the victims were threatened by hackers, who accessed records belonging to the company Vastaamo, the

---

[99] CAMBRIDGE DICTIONARY. **Slacktivism**. Available at: https://dictionary.cambridge.org/pt/dicionario/ingles/slacktivism. Accessed on: April 16, 2020.

[100] DENTZEL, Zaryn. **How the Internet Has Changed Everyday Life.** Available at: https://www.bbvaopenmind.com/en/articles/internet-changed-everyday-life/. Accessed on: March 8, 2020.

[101] IENCA, Marcello; VAYENA, Effy. **Cambridge Analytica and Online Manipulation**. Available at: https://blogs.scientificamerican.com/observations/cambridge-analytica-and-online-manipulation/. Accessed on: March 9, 2020.

administrator of 25 therapy centres across Finland, and demanded a certain amount of money to avoid the content of discussions with psychotherapists from being made public.[102]

In addition to that, companies are increasingly seeing the internet as a way to make money with the usage of personal data, amongst other things. This is made possible mostly by the high flow of information in the World Wide Web and the current relativization of the right to online privacy, with people entrusting companies with many aspects of their personal details.[103]

The problem of data collection is mostly caused by the fact that users carelessly accept the service's Terms of Service (ToS), without even reading them. Due to this, many internet services can collect the user's personal data and, therefore, to manipulate the content that arrives to them. This scenario, therefore, represents a hard threat to online privacy.[104]

---

[102] THE GUARDIAN. **'Shocking' hack of psychotherapy records in Finland affects thousands**. Available at: https://www.theguardian.com/world/2020/oct/26/tens-of-thousands-psychotherapy-records-hacked-in-finland. Accessed on: June 24, 2021.
[103] PRIVACY POLICY. **What's Data Privacy Law In Your Country?**. Available at: https://www.privacypolicies.com/blog/privacy-law-by-country/amp/. Accessed on: March 10, 2020.
[104] BERREBY, David. **Click to agree with what? No one reads terms of service, studies confirm**. Available at: https://www.theguardian.com/technology/2017/mar/03/terms-of-service-online-contracts-fine-print. Accessed on: March 10, 2020.

6 COLLECTION AND MANIPULATION OF DATA

Digital information is the raw material that is fuelling 21st-century business and its collection and manipulation is changing some variables of the world.[105] Consequently, the current value of personal data can be compared to the value of oil, being also considered far more applicable and likely to be even further in the future.[106]

It is observed that the vision of personal data as a new element in the economy is accepted in the business world and in the political perspective of states and governments. The CEO of Open Data Institute, Jeni Tennison has written in a study of personal data control of 2017[107] that: "Personal data is information about us such as where we study or work, what we like and who we spend our time with. Data is collected, shared and used a lot in our day-to-day lives."[108]

Thus, it can be concluded that personal data accompanies people's steps in the digital world. These users are freely giving away their personal information to companies, aware that governments have created regulations and strictly complex laws to protect their privacy and make them feel secure. All this caution indicates the great value of personal data.[109]

With the evolution of society and the increasingly incorporation of new technologies in daily life, enormous amounts of data are being generated.[110] Everyday companies extract a vast amount of data from their users, sometimes in abuse ways. Similarly, governments frequently commit abuses when collecting their citizens' data, forcibly extracting far more than they should.[111] Whether these abusive patterns are intentional or not, they must be taken into consideration in the development of new legislations and policies.[112]

---

[105] GEOPOLITICAL INTELLIGENCE SERVICES. **The value of data**. Available at: https://www.gisreportsonline.com/the-value-of-data,politics,2877.html. Accessed on: April 20, 2020.
[106] QUARTZ. **How your personal data is being used to manipulate capitalism**. Available at: https://qz.com/1743751/how-your-personal-data-is-being-used-to-manipulate-capitalism/. Accessed on: April 20, 2020.
[107] BBC - TOMORROW'S WORLD. **Taking control of personal data is about your rights, not owning it**. Available at: https://www.bbc.co.uk/programmes/articles/2kf3H3VMqpGCTPJt0wb4G4Z/taking-control-of-personal-data-is-about-your-rights-not-owning-it. Accessed on: April 20, 2020
[108] Ibidem.
[109] GEOPOLITICAL INTELLIGENCE SERVICES. **The value of data**. Available at: https://www.gisreportsonline.com/the-value-of-data,politics,2877.html. Accessed on: April 20, 2020.
[110] PRIVACY INTERNATIONAL**. Examples of Abuse**. Available at: https://privacyinternational.org/examples. Accessed on: April 20, 2020.
[111] GEOPOLITICAL INTELLIGENCE SERVICES. **The value of data**. Available at: https://www.gisreportsonline.com/the-value-of-data,politics,2877.html. Accessed on: April 20, 2020.
[112] AMERICAN LEGISLATIVE EXCHANGE COUNCIL. **Abuse and Misuse of Personal Information**. Available at: https://www.alec.org/app/uploads/2015/11/Abuse-and-Misuse-of-Personal-Info-Final-03202013.pdf. Accessed on: April 20, 2020.

6.1 STATE-OWNED MANIPULATION MECHANISM IN THE WORLD

When Sir Francis Bacon, an Elizabethan philosopher, wrote "knowledge is power", he brought attention to an important aspect of societies through the ages: the domain over knowledge. For the greater part of human history, the State was the main actor holding the power over the flow and manipulation of information. With its domain over information States established a foothold over profiling its population and by exercising their manipulation mechanisms became a major controller of civil society.[113]

In the last decades, the fast evolution of ICTs transferred data from paper to the digital world, a space – commonly known for its unlimited nature in terms of possibilities – that has transformed States' means to access personal data.[114]

Despite the usual perception that the State is responsible for protecting its citizens – and in this case, their personal data – this concern is relatively new. It proved itself necessary at the end of the 2000s, to the point of constituting a national security problem, even though it was neglected by governments and often considered a strain of globalisation.[115] At last, years after data protection became a concern, it was only regulated in virtue of the vast personal data violations between 2014 and 2018.

This could be seen in Alex Younger's December 2016 speech, in his role as head of the MI6 – the foreign intelligence service of the government of the United Kingdom, *in verbis*: "The connectivity that is the heart of globalisation can be exploited by states with hostile intent to further their aims. […] The risks at stake are profound and represent a fundamental threat to our sovereignty."[116]

According to the European Economic Area (EEA), between 2018 and 2020, more than 160,000 breaches were notified,[117] resulting in the imposition of €114 million in fines.[118]

---

[113] UNITED NATIONS STATISTICS DIVISION. **Knowledge is Power:** A Short History of Official Data Collection in the UK. Available at: https://unstats.un.org/unsd/wsd/docs/UK_wsd_KnowledgeIsPower.pdf. Accessed on: March 21, 2020.

[114] GEOPOLITICAL INTELLIGENCE SERVICES. **The value of data**. Available at: https://www.gisreportsonline.com/the-value-of-data,politics,2877.html. Accessed on: April 20, 2020.

[115] SPRINGER LINK. **History of Privacy**. Available at: https://link.springer.com/content/pdf/10.1007/978-3-642-03315-5_2.pdf. Accessed on: March 21, 2020.

[116] THE GUARDIAN. **The great British Brexit robbery**: how our democracy was hijacked. Available at: https://www.theguardian.com/technology/2017/may/07/the-great-british-brexit-robbery-hijacked-democracy. Accessed on: March 21, 2020.

[117] DLA PIPER. **DLA Piper GDPR Data Breach Survey 2020**. Available at: https://www.dlapiper.com/en/uk/insights/publications/2020/01/gdpr-data-breach-survey-2020/. Accessed on: March 21, 2020.

It is possible to conclude from this exponential growth of fines, even with more State control over the digital world breaches, these violations remain extremely profitable and rewarding.[119]

Therefore, in view of these violations, with the excuse of protecting its citizens' own right to digital privacy or protecting the National Security,[120] it's notorious that the exacerbated State control over the digital world – a digital authoritarianism – has been growing on a daily basis a perspective that composes a serious threat to democracy.[121]

The current circumstance regarding information disorders (also known as "misinformation", a harmful kind of fake news)[122] and the unreliability of information have damaged the public trust in the State, governments and ultimately in the private sector, a scenario that may results, for some users, in a certain distrust of the internet, causing it to be associated to an unhealthy environment.[123] However, exceptions must be weighted, as this feeling of mistrust is not as perceived, for instance, in China – a dictatorship with a model of public censoring – as it is in Germany, a highly democratic country.[124]

Lastly, the U.S. NGO Freedom House concludes that the governments of 30 countries across the globe are misusing state tools and creating online "armies of opinion shapers" to influence elections. The research also highlights that countries like Russia, Turkey and Venezuela, and even developed countries such as the United States, United Kingdom and Italy are being drastically affected. Thereby, it's easily noticed that the major issue involving

[118] STATISTA. **The Countries With The Most GDPR Data Breaches**. Available at: https://www.statista.com/chart/20566/personal-data-breaches-notified-per-eea-jurisdiction/. Accessed on: March 21, 2020.
[119] GEOPOLITICAL INTELLIGENCE SERVICES. **The value of data**. Available at: https://www.gisreportsonline.com/the-value-of-data,politics,2877.html. Accessed on: April 20, 2020.
[120] THE HILL. **A right to digital self-defense will prevent abuse of COVID-19 surveillance apps**. Available at: https://thehill.com/opinion/cybersecurity/493524-a-right-to-digital-self-defense-will-prevent-abuse-of-covid-19. Accessed on: April 20, 2020.
[121] OBSERVATÓRIO DA INTERNET NO BRASIL. **Para além das "fake news"**: os componentes da chamada "desordem informacional". Available at: https://observatoriodainternet.br/post/para-alem-das-fake-news-os-componentes-da-chamada-desordem-informacional. Accessed on: April 20, 2020.
[122] FREEDOM HOUSE. **The Rise of Digital Authoritarianism:** Fake news, data collection and the challenge to democracy. Available at: https://freedomhouse.org/article/rise-digital-authoritarianism-fake-news-data-collection-and-challenge-democracy. Accessed on: March 21, 2020.
[123] CHATHAM HOUSE. **Toxic internet has left us disillusioned**. Available at: https://www.chathamhouse.org/publications/twt/toxic-internet-has-left-us-disillusioned. Accessed on: April 20, 2020.
[124] FREEDOM HOUSE. **The Rise of Digital Authoritarianism**: Fake news, data collection and the challenge to democracy. Available at: https://freedomhouse.org/article/rise-digital-authoritarianism-fake-news-data-collection-and-challenge-democracy. Accessed on: March 21, 2020.

the State-owned personal data manipulation mechanism proved to be the fragility of elections in countries, be it emerging or well-established democracies.[125]

6.2 BUSSINESS' MECHANISM TO MANIPULATE INFORMATION

As mentioned, the 2000s saw the growing reach of internet business and social media. Alongside these changes came the mass collection of data, personal and otherwise, and inevitably security incidents lead to data leaks. In the late 90s an emerging Web, with its first bytes of searching data, lead to Google's debut in the trade market, and soon, an entirely new economy emerged from this unusual space.[126]

Coupled with an increasing number of users – many of them willing to share their data – and the increasing availability of personal information on social media, the world was witness to the rapid growth of companies interested in targeted advertising.[127]

In 2009, the European Commissioner for Consumer Protection, Meglena Kuneva compared personal data to oil. It demonstrated the importance of this new good to a very promising market eager to explore the internet's 4.5 billion consumers – according to ITU's stats from December 2019.[128] Subsequently, a duopoly of personal data collection was established between Google and Facebook, concentrating more than 80% of the "data industry". Their role in the data sales market was considered partly responsible for the growth of said companies' value.[129]

Finally, it is blatant that, with the enormous amount of personal data collected, companies are analysing patterns and drawing conclusions, building knowledge and selling it

---

[125] FAST COMPANY. **It's not just Russia, 30 countries used the internet to manipulate elections**. Available at: https://www.fastcompany.com/40495864/its-not-just-russia-30-countries-used-the-internet-to-manipulate-elections. Accessed on: March 21, 2020.

[126] WORLD ECONOMIC FORUM. **A brief history of big data everyone should read**. Available at: https://www.weforum.org/agenda/2015/02/a-brief-history-of-big-data-everyone-should-read/. Accessed on: March 10, 2020.

[127] SCIENCE DIRECT. **The data economy:** How technological change has altered the role of the citizen-consumer. Available at: https://www.sciencedirect.com/science/article/pii/S0160791X19300569?via%3Dihub#!. Accessed on: March 09, 2020.

[128] CARNEGIE MELLON UNIVERSITY'S HEINZ COLLEGE. **The challenges of personal data markets and privacy**. Available at: https://www.heinz.cmu.edu/~acquisti/papers/SpiekermannAcquistiBohmeHui-EM-2015.pdf. Accessed on: March 11, 2020.

[129] CBS THE SCREENING HOUSE. **How Companies Profit and Use Your Personal Data**. Available at: https://cbscreening.co.uk/news/post/your-personal-data-and-how-companies-use-it/. Accessed on: March 11, 2020.

to other business and industries, a scenario that created a new and controversial market in the last decade.[130]

On the other hand, the data revolution in the market has projected absurd growth on the digital marketplace. For example, comparing the years of 2017 and 2019, the global data market – mostly involved with personal data negotiations by this time – almost doubled, highlighting the high-profit potential of this new sector of financial market.[131] Bringing forward another example, the data economy in the United States alone represents nearly 20% of market capitalization. It also combines the five largest firms by value: Apple, Amazon, Facebook, Google and Microsoft, arriving at a figure of $4 trillion dollars in 2018.[132]

In fact, the Cambridge Analytica scandal brought to light what many sectors of society were suspicious about, and that many treated as an unlikely conspiracy. Thereby, a survey conducted by Accenture in 2016 revealed that 79 percent of the companies searched and collect data directly from individuals (through online customer accounts, for example), as well as from commercial or data-sharing partnerships, connected devices and third-party data suppliers.[133]

Thereat, a shift in the data protection regulation leads to a crackdown against the personal data collection industry and against companies in the USA, Europe and emerging countries.[134]

6.3 DATA BROKERS AND THE CRISIS OF DATA SECURITY CONFIABILITY

As a result of data scandals between 2015 and 2018, involving both states and the private sector, a deep chasm of trust emerged in the field of personal data and its protection. It is clear that people, including governments and democratic institutions, were completely

---

[130] SCIENCE DIRECT. **The data economy:** How technological change has altered the role of the citizen-consumer. Available at: https://www.sciencedirect.com/science/article/pii/S0160791X19300569?via%3Dihub#!. Accessed on: March 09, 2020.

[131] ACCENTURE. **Guarding and growing personal data value**. Available at: https://www.accenture.com/_acnmedia/pdf-4/accenture-guarding-and-growing-personal-data-value-pov-low-res.pdf. Accessed on: March 12, 2020.

[132] STATISTA. **The 100 largest companies in the world by market value in 2019**. Available at: https://www.statista.com/statistics/263264/top-companies-in-the-world-by-market-value/. Accessed on: March 19, 2020.

[133] Ibidem.

[134] THE GUARDIAN. **The Cambridge Analytica scandal changed the world –** but it didn't change Facebook. Available at: https://www.theguardian.com/technology/2019/mar/17/the-cambridge-analytica-scandal-changed-the-world-but-it-didnt-change-facebook. Accessed on: March 12, 2020.

shocked by such revelations.[135] Originally, associating personal or general data sharing to an intrinsic monetary value seemed a very unlike scenario.[136] However, it started to increasingly gain strength over time and years later, the process of sharing personal data – in order to reach a target audience – became profitable, with companies incorporating it in almost every aspect of their economy.[137]

Associated with this profitability, companies like Acxiom, Equifax, Experian and Oracle accumulate massive amounts of data about individuals from different sources and origins, uncontrollable figures reaching hundreds of millions of bytes, creating the need for personal data protection in the form of judicial activity, which is specific, technical and rigid.[138]

Eventually, after all those scandals and major data leaks, a sensation of insecurity was created, which led to a new market factor. Nowadays, customers will not do business with companies they do not trust with their data. In Germany, for example, 71 percent of consumers are not confident in the security of their personal data. Despite being smaller elsewhere, this percentage is still high worldwide, showing that consumers are worried with the protection of their personal information.[139]

In conclusion, there was a significant change in the data economy when another set of variables acquired importance on the market radar: consumer confidence. Besides that, an entire new sector in the industry has established data protection as a major concern of individuals and ordinary companies.[140]

6.4 ETHICAL PERSONAL DATA USE

---

[135] SITRA. **A Roadmap for a Fair Data Economy**. Available at: https://media.sitra.fi/2019/04/09132843/a-roadmap-for-a-fair-data-economy.pdf. Accessed on: March 13, 2020.
[136] Ibidem.
[137] TOWARDS DATA SCIENCE. **Data and the Future of Value**. Available at:
https://towardsdatascience.com/data-is-the-new-dollar-the-future-of-value-79cf4347b2ce. Accessed on: April 20, 2020.
[138] SITRA. **A Roadmap for a Fair Data Economy**. Available at: https://media.sitra.fi/2019/04/09132843/a-roadmap-for-a-fair-data-economy.pdf. Accessed on: March 13, 2020.
[139] ONAUDIENCE. **Global data & display advertising market size report for 2017-2019**. Available at: https://www.onaudience.com/resources/top-data-markets/. Accessed on: March 13, 2020.
[140] ACCENTURE. **Guarding and growing personal data value**. Available at:
https://www.accenture.com/_acnmedia/pdf-4/accenture-guarding-and-growing-personal-data-value-pov-low-res.pdf. Accessed on: March 12, 2020.

Considering all these aspects, ethical data use has become an important measure to systemize improper conduct and establish user confidence.[141] As previously stated, collectors and disseminators of structured or unstructured data (large corporations and governments)[142] have been concerned about the reliability of their products for buyers, who in turn have been more cautious with their personal data since 2015 and the crisis of data brokers.[143]

Also, the continued and exponential increase in quantity and quality of data on the internet, made so immediate the necessity to formulate laws and rules, to the point of shaping the ethics of personal data for companies, governments and corporations.[144] Moreover, big data process of innovations, statists and profiles can provide an amount of powerful and helpful information, from medical research to national security issues.[145] Therefore, the relevance of Data Ethics is increasing due to the growth in the number of data generated, causing a huge and positive scale of the impact.[146]

With that in mind, the United Nations recognizes the general importance of data, specifically its personal variant. As easily noted, in the last decade, the UN started shaping how data will impact the future, seeking to bring together the major agents of ethical and responsible use of personal information.[147]

The ITU, the United Nations Department of Economic and Social Affairs, governments and companies are working together to build a better world through ICTs. The UN seeks to use data as a positive force for peace, development and concretization of human rights. In this sense, it is using this soft power that the world can become more agile and

---

[141]KITCHIN, Rob. **The Revolution of Data:** big data, open data, data infrastructures & their consequences. Sage Publishing, Los Angeles, 2017.

[142] ONTARIO HUMAN RIGHTS COMMISSION. **Count me in! Collecting human rights-based data.** Available at: http://www.ohrc.on.ca/en/count-me-collecting-human-rights-based-data. Accessed in: May 11, 2020.

[143]KITCHIN, Rob. **The Revolution of Data:** big data, open data, data infrastructures & their consequences. Sage Publishing, Los Angeles, 2017.

[144]Ibidem.

[145] ONTARIO HUMAN RIGHTS COMMISSION. **Count me in! Collecting human rights-based data.** Available at: http://www.ohrc.on.ca/en/count-me-collecting-human-rights-based-data. Accessed in: April 11, 2020.

[146]KITCHIN, Rob. **The Revolution of Data:** big data, open data, data infrastructures & their consequences. Sage Publishing, Los Angeles, 2017.

[147] UNITED NATIONS DEPARTMENT OF ECONOMIC AND SOCIAL AFFAIRS. **Frontier Technology Quarterly:** Data Economy: Radical transformation or dystopia?. Available at: https://www.un.org/development/desa/dpad/publication/frontier-technology-quarterly-january-2019/. Accessed on: March 13, 2020.

efficient, providing analysis to decision-making plans and better measuring progress on the Sustainable Development Goals (SDGs) and the 2030 Agenda.[148]

Further, in regional and internal levels, the laws fulfil this ethical role designed to address privacy loss due to data compromise.[149] The California Consumer Privacy Act and General Data Protection Regulation, one from a federal state of the USA and other from European Union, determines the function to combat misinformation and misuse of data and ultimately seals the Ethical Personal Data in the circumstances of use of companies and corporations or, in some cases governments and state-owned systems.[150]

6.5 THE SOCIAL IMPACT

The growth and expansion of access to the internet made it into an indispensable tool in our daily lives. With it, social networks have taken a greater role too. The internet is continually changing how humans coexist, being inserted in the lives of millions of people in the world and thereby facilitating communication between users through access and sharing of data. However, this facility between so much exposure and compulsive sharing brings some dangers to the user's security, directly implying their right to privacy and autonomy of thought.

Digital Influencers[151] are not simply users of these tools, but content creators for their profiles including publishing blogs, updating videos, updating status on Twitter and/or social networking sites, commenting on someone else's blog, contributing to online forums or wikis, adding tags to web pages, and maintaining their own social network profiles within the organization. This content creation broadly distributes content beyond projects or known co-workers, allowing it to be widely shared with strangers. International Business Machines

---

[148] UNITED NATIONS. **Big Data for Sustainable Development**. Available at: https://www.un.org/en/sections/issues-depth/big-data-sustainable-development.html. Accessed on: March 13, 2020.

[149]KITCHIN, Rob. **The Revolution of Data:** big data, open data, data infrastructures & their consequences. Sage Publishing, Los Angeles, 2017.

[150]GRINNEL, Rick; CSO UNITED STATES. **The Ethical use of Data.** Available at: https://www.csoonline.com/article/3387951/the-ethical-use-of-data.html. Accessed on: May 12, 2020.

[151] Digital Influencer is someone who has influence over his or her followers and influencer marketing identifies these individuals in order to reach potential buyers. Available at: https://www.reportbrain.com/what-is-a-digital-influencer-and-influencer-marketing/ Accessed on: March 02, 2020.

(IBM), for example, considers its use of social networking tools among its 400,000 employees to be absolutely germane to its dual focus of enterprise-wide collaboration and innovation.[152]

Yet, little is known about how these social media technologies may change the way individuals are engaged in how content is shared across the profile, in the behavioural actions that individuals take to make their knowledge publicly visible throughout the internet.[153] Thus, with specific focus on engagement since, with social media tools, influencers are able to make their knowledge publicly visible not simply to their immediate circle of acquaintances, but also to unknown people further separated.

Moreover, with social media tools, knowledge is made publicly visible not necessarily through a pairwise communication, but rather by posting knowledge in a collective space such as a tweet or blog,[154] with future recipients of the knowledge able to interpret, modify, and use the knowledge as they wish.

The online space is, increasingly, a strongly corporate space. There are no signs of improvement in this regard – quiet on the contrary, as it can be seen by the recent fall of network neutrality in the USA.[155] The online services provided seemingly free of charge, in fact, are paid for in a highly valued asset: data on more than the person.

In social media, users experience the false illusion of freedom and acceptance, when, in fact, the mechanisms and algorithms of these systems are conceived to perpetuate that illusion. A study carried out at the Massachusetts Institute of Technology (MIT)[156] shows how social networks reinforce the human propensity to seek information that aligns with preconceived ideas, that is, the construction of these invisible filters keeps internet users welcomed and with the feeling that their ideology is the correct one, because it is the one they sees on their timeline.

---

[152] MAJCHZAK, A., Cherbakov, L., & Ives, B. (2009). **Harnessing the power of the crowds with corporate social networking tools:** How IBM does it. MIS Quarterly Executive, 8(2), 103. Available at: https://www.researchgate.net/profile/Ann_Majchrzak/publication/256042406_Technology_Affordances_and_Constraints_in_Management_Information_Systems_MIS/links/568fe4c008aec14fa55793b2.pdf. Accessed on: March 02, 2020.

[153] KANE, G. C., & Alavi, M. **Information technology and organizational learning:** An investigation of exploration and exploitation processes**.** Available at**:** https://pubsonline.informs.org/doi/abs/10.1287/orsc.1070.028. Accessed on: March 06, 2020.

[154] FULK, J. & Yuan, Y.C. **Location, motivation and social capitalization via enterprise social networking. Journal of Computer-Mediated Communication.** Available at: https://pubsonline.informs.org/doi/abs/10.1287/orsc.6.4.337. Accessed on: March 06, 2020.

[155] THE NEW YORK TIMES. **Net Neutrality Has Officially Been Repealed. Here's How That Could Affect You**. Available at: https://www.nytimes.com/2018/06/11/technology/net-neutrality-repeal.html%20The%20New%20York%20TImes Accessed on: March 07, 2020.

[156] KANE, GERALD. **Social Media's Expanding Relationship Universe.** Available at: https://sloanreview.mit.edu/article/social-medias-expanding-relationship-universe/ Accessed on: March 06, 2020.

In an interview with El País, the polish sociologist Zygmund Bauman, reported that social networks do not teach the dialogue because it is very easy to avoid the controversy. Many people use them not to unite, not to broaden their horizons, but rather to close in what he calls "comfort zones", where the only sound they hear is the echo of their own voices, where the only thing they see are the reflections of their own faces. Networks are very useful, they offer very pleasant services, but they are a trap.[157] In the social aspect, the internet, through the use of social networks, allows each user to build the character and life they want on their social media.

Today, creating and disseminating online content is one of the most effective ways of civic engagement in a world where trust has disappeared. Example from what happened in the last US presidential election, the suspected of using data collected by Cambridge Analytica, suggest that this civic media is a powerful force that we are just beginning to understand.

Thus, the new social context inserted with technological means needs to be discussed and analysed. It is crucial to understand that a new society is being built and violations cannot happen. Therefore, it is necessary that regulations protect individual rights be proposed, because social media are inhabited by real people and everything posted or shared, if viewed, has an effect on someone's life and in long-term thinking it is not yet known how far our society can go with so much manipulated influence.

---

[157] EL PAÍS. **Zygmunt Bauman:** "As redes sociais são uma armadilha". Available at:
https://brasil.elpais.com/brasil/2015/12/30/cultura/1451504427_675885.html Accessed on: March 16, 2020.

7 CONCLUSION

The guide aimed to offer a general analysis on privacy and its interaction with the digital world. It sought to explore its scopes and the various forms assumed in each system, be it representational – with the ITU's descriptions and references to the other international bodies linked to the topic – be it the state, business or social *lato sensu*. However, it is essential to observe that internet policy-making is a rapidly-changing field and no guide can deplete such a subject.

In this sense, it is observed that the perspective of the right to privacy varied according to the periods and civilizations, being later extended to the digital space with the advent and expansion of ICTs. However, as seen, the constant growth of digital tools, combined with the increasing human dependence on these technologies in an ordinary way of life, leads to a diverse range of means of collecting and using data, including for dubious purposes.

Consequently, personal data has become the weapon of the century, either in the hands of the State – where it can be used to profile its citizens – or in the private sector's hand – where it can be used for more efficient targeted advertising to increase profitability. In both cases, the targeted advertising can favour political interests, which can lead to, in extreme situations, electoral fraud and civil manipulation in favour of populist measures.

Therefore, special attention is needed towards the matter of data collection and how information is both obtained and used. It is of paramount importance to protect and safeguard the privacy of users while also securing not only the information itself as well as by what means it was obtained. Respecting the right to privacy is a necessity as much as it is a duty. Furthermore, to fight against exploitation is to uphold the very reason the United Nations was founded so many years ago. Thus, this discussion must be held with the utmost responsibility.

REFERENCES

ACCENTURE. **Guarding and growing personal data value.** Available at: https://www.accenture.com/_acnmedia/pdf-4/accenture-guarding-and-growing-personal-data-value-pov-low-res.pdf. Accessed on: March 12, 2020.

AMERICAN LEGISLATIVE EXCHANGE COUNCIL. **Abuse and Misuse of Personal Information.** Available at: https://www.alec.org/app/uploads/2015/11/Abuse-and-Misuse-of-Personal-Info-Final-03202013.pdf. Accessed on: April 20, 2020.

ARENDT, Hannah. **The Human Condition.** Translated by Roberto Raposo. 10. ed. Rio de Janeiro: Forense Universitária, 2007.

ARISTÓTELES. **Politics.** Translated by Mário da Gama Kury. Brasília: Editora Universidade de Brasília, 1985, p. 15-16.

BATTEZINI, Andy Portella. **O Direito à privacidade e os limites impostos pelo Estado em face da proteção de dados criptografados.** 2017. 142 f. Dissertação (Mestrado) – Curso de Direito, Complexo de Ensino Superior Meridional, Passo Fundo, 2017.

BBC NEWS. **UK internet use doubles in 2020 due to pandemic.** Available at: https://www.bbc.com/news/technology-55486157. Accessed on: June 23, 2021.

BBC - TOMORROW'S WORLD. **Taking control of personal data is about your rights, not owning it**. Available at: https://www.bbc.co.uk/programmes/articles/2kf3H3VMqpGCTPJt0wb4G4Z/taking-control-of-personal-data-is-about-your-rights-not-owning-it. Accessed on: April 20, 2020

BERREBY, David. **Click to agree with what? No one reads terms of service, studies confirm.** Available at: https://www.theguardian.com/technology/2017/mar/03/terms-of-service-online-contracts-fine-print. Accessed on: March 10, 2020.

BRASIL ESCOLA. **The concept of political animal in Aristotle**. Available at: https://brasilescola.uol.com.br/filosofia/o-conceito-animal-politico-aristoteles.htm. Accessed on: March 6, 2020.

CAMBRIDGE DICTIONARY. **Slacktivism.** Available at: https://dictionary.cambridge.org/pt/dicionario/ingles/slacktivism. Accessed on: April 16, 2020.

CAMBRIDGE DICTIONARY. **Communication**. Available at: https://dictionary.cambridge.org/dictionary/english/communication. Accessed on: March 6, 2020.

CARNEGIE MELLON UNIVERSITY'S HEINZ COLLEGE. **The challenges of personal data markets and privacy**. Available at: https://www.heinz.cmu.edu/~acquisti/papers/SpiekermannAcquistiBohmeHui-EM-2015.pdf. Accessed on: March 11, 2020.

CBS THE SCREENING HOUSE. **How Companies Profit and Use Your Personal Data**. Available at: https://cbscreening.co.uk/news/post/your-personal-data-and-how-companies-use-it/. Accessed on: March 11, 2020.

CERQUEIRA, Fábio Vergara. As origens do Direito ocidental na pólis grega. **Revista Justiça & História**, v. 2, n. 3, 2002.

CHATHAM HOUSE. **Toxic internet has left us disillusioned**. Available at: https://www.chathamhouse.org/publications/twt/toxic-internet-has-left-us-disillusioned. Accessed on: April 20, 2020.

CNN. **Governments are rushing to regulate the internet. Users could end up paying the price.** Available at: https://edition.cnn.com/2019/04/08/uk/internet-regulation-uk-australia-intl-gbr/index.html. Accessed on: March 20, 2020.

COLOCATION AMERICA. **HISTORY OF IP ADDRESSES PART 2:** HOW TCP/IP CHANGED EVERYTHING. Available at: https://www.colocationamerica.com/blog/history-of-ip-address-part-2-tcp-ip. Accessed on May 10, 2020.

COOPERATIVE CYBER DEFENCE CENTRE OF EXCELLENCE. **International Telecommunication Union.** Available at: https://ccdcoe.org/organisations/itu/. Accessed on: March 14, 2020.

CRESTE, Maria Victória Antunes; TEBAR, Wilton Boigues Corbalan. A tutela do direito à intimidade e à privacidade perante o avanço das redes sociais. **ETIC** – Encontro de Iniciação Científica, v. 13, n. 13, 2017. Available at: http://intertemas.toledoprudente.edu.br/index.php/ETIC/article/view/6162. Accessed on: March 1, 2020.

CROMWELL, Victoria. Common Law Vs. Civil Law: an introduction to the different legal systems. **QLTS Prep by BARBRI**, 2019. Available at: https://barbriqlts.com/common-law-vs-civil-law-an-introduction-to-the-different-legal-systems/. Accessed on: March 16, 2020.

DENTZEL, Zaryn. **How the Internet Has Changed Everyday Life.** Available at: https://www.bbvaopenmind.com/en/articles/internet-changed-everyday-life/. Accessed on: March 4, 2020.

DLA PIPER. **DLA Piper GDPR Data Breach Survey 2020**. Available at: https://www.dlapiper.com/en/uk/insights/publications/2020/01/gdpr-data-breach-survey-2020/. Accessed on: March 21, 2020.

DONEDA, Danilo. **Considerações Iniciais sobre os bancos de dados informatizados e o direito à privacidade.** Available at: http://www.egov.ufsc.br/portal/sites/default/files/anexos/8196-8195-1-PB.htm. Accessed on: March 15, 2020.

EL PAÍS. **Zygmunt Bauman:** "Social Networks are a trap". Available at: https://brasil.elpais.com/brasil/2015/12/30/cultura/1451504427_675885.html Accessed on: March 16, 2020.

ETHOS. **Cambridge Academic Content Dictionary**. Available at: https://dictionary.cambridge.org/pt/dicionario/ingles/ethos. Accessed on: March 16, 2020.

FAST COMPANY. **It's not just Russia, 30 countries used the internet to manipulate elections**. Available at: https://www.fastcompany.com/40495864/its-not-just-russia-30-countries-used-the-internet-to-manipulate-elections. Accessed on: March 21, 2020.

FERRAZ JÚNIOR, T. S. Sigilo de dados: o direito à privacidade e os limites à função fiscalizadora do Estado. **Revista da Faculdade de Direito**, Universidade de São Paulo, v. 88, 1993, p. 439-459.

FREEDOM HOUSE. **The Rise of Digital Authoritarianism:** Fake news, data collection and the challenge to democracy. Available at: https://freedomhouse.org/article/rise-digital-authoritarianism-fake-news-data-collection-and-challenge-democracy. Accessed on: March 21, 2020.

FULK, J. & Yuan, Y.C. **Location, motivation and social capitalization via enterprise social networking. Journal of Computer-Mediated Communication.** Available at: https://pubsonline.informs.org/doi/abs/10.1287/orsc.6.4.337. Accessed on: March 06, 2020.

GEOPOLITICAL INTELLIGENCE SERVICES. **The value of data**. Available at: https://www.gisreportsonline.com/the-value-of-data,politics,2877.html. Accessed on: April 20, 2020.

GERMANY. **Federal Data Protection Act,** of 30 June 2017. Available at: https://www.gesetze-im-internet.de/englisch_bdsg/englisch_bdsg.html#p0012. Accessed on: March 16, 2020.

GRINNEL, Rick; CSO UNITED STATES. **The Ethical use of Data.** Available at: https://www.csoonline.com/article/3387951/the-ethical-use-of-data.html. Accessed on: May 12, 2020.

HIRATA, Alessandro. **Direito à privacidade**. Enciclopédia jurídica da PUC-SP. Celso Fernandes Campilongo, Alvaro de Azevedo Gonzaga e André Luiz Freire (coords.). Tomo: Direito Administrativo e Constitucional. Vidal Serrano Nunes Jr., Maurício Zockun, Carolina Zancaner Zockun, André Luiz Freire (coord. de tomo). 1. ed. São Paulo: Pontifícia Universidade Católica de São Paulo, 2017. Available at: https://enciclopediajuridica.pucsp.br/verbete/71/edicao-1/direito-a-privacidade. Accessed on: March 1, 2020.

IENCA, Marcello; VAYENA, Effy. **Cambridge Analytica and Online Manipulation.** Available at: https://blogs.scientificamerican.com/observations/cambridge-analytica-and-online-manipulation/. Accessed on: March 9, 2020.

INTERNATIONAL TELECOMMUNICATION UNION. **About International Telecommunication Union (ITU).** Available at: https://www.itu.int/en/about/Pages/default.aspx. Accessed on: March 1, 2020.

INTERNATIONAL TELECOMMUNICATION UNION. **Council Working Group on International Internet-related Public Policy Issues (CWG-Internet).** Available at: https://www.itu.int/en/council/cwg-internet/Pages/default.aspx. Accessed on: March 3, 2020.

INTERNATIONAL TELECOMMUNICATION UNION. **Global Cybersecurity Index.** Available at: https://www.itu.int/en/ITU-D/Cybersecurity/Pages/global-cybersecurity-index.aspx. Accessed on: March 4, 2020.

INTERNATIONAL TELECOMMUNICATION UNION. **Gold Sector Members.** Available at: https://www.itu.int/en/membership/top-contributors/Pages/gold-industry-contributors.aspx. Accessed on: March 3, 2020.

INTERNATIONAL TELECOMMUNICATION UNION. **International Telegraph Conference (Paris, 1865).** Available at**:** https://www.itu.int/en/history/Pages/PlenipotentiaryConferences.aspx?conf=4.1. Accessed on: March 1, 2020.

INTERNATIONAL TELECOMMUNICATION UNION. **International Telegraph Conference (Madrid, 1932).** Available at: https://www.itu.int/en/history/Pages/PlenipotentiaryConferences.aspx?conf=4.5. Accessed on: February 28, 2020.

INTERNATIONAL TELECOMMUNICATION UNION. **Internet Policy and Governance** – Development. Available at: https://www.itu.int/en/action/internet/Pages/default.aspx. Accessed on: March 3, 2020.

INTERNATIONAL TELECOMMUNICATION UNION. **ITU as a UN Specialized Agency.** Available at: https://www.itu.int/en/un/Pages/un-agency.aspx. Accessed on: March 2, 2020.

INTERNATIONAL TELECOMMUNICATION UNION. **ITU Cybersecurity Activities.** Available at: https://www.itu.int/en/action/cybersecurity/Pages/default.aspx. Accessed on: March 3, 2020.

INTERNATIONAL TELECOMMUNICATION UNION. **ITU Member States by Administrative Region.** Available at: https://www.itu.int/online/mm/scripts/mm.world?_languageid=1. Accessed on: March 2, 2020.

INTERNATIONAL TELECOMMUNICATION UNION. **National Strategies.** Available at: https://www.itu.int/en/ITU-D/Cybersecurity/Pages/cybersecurity-national-strategies.aspx. Accessed on: March 4, 2020.

INTERNATIONAL TELECOMMUNICATION UNION. **Overview of ITU's History.** Available at: https://www.itu.int/en/history/Pages/ITUsHistory.aspx. Accessed on: March 1, 2020.

INTERNATIONAL TELECOMMUNICATION UNION. **Platinum Sector Members.** Available at: https://www.itu.int/en/membership/top-contributors/Pages/industry-contributors.aspx. Accessed on: March 3, 2020.

INTERNATIONAL TELECOMMUNICATION UNION. **Pre-1865 International Telegraph Agreements.** Available at: https://www.itu.int/en/history/Pages/pre1865agreements.aspx. Accessed on: February 29, 2020.

INTERNATIONAL TELECOMMUNICATION UNION. **What we do?.** Available at: https://www.itu.int/en/about/Pages/whatwedo.aspx. Accessed on: March 5, 2020.

ITU ACADEMY. **About ITU Academy.** Available at: https://academy.itu.int/about. Accessed on: March 5, 2020.

ITU DIGITAL WORLD 2020. **Why take part?.** Available at: https://digital-world.itu.int/events/2020-ha-noi/take-part/. Accessed on: March 6, 2020.

ITU NEWS. **ITU's approach to 5G.** Available at: https://news.itu.int/5g-fifth-generation-mobile-technologies/. Accessed on: March 2, 2020.

ITU NEWS. **What you need to know about the ITU Plenipotentiary Conference.** Available at: https://news.itu.int/what-you-need-to-know-about-the-itu-plenipotentiary-conference-2018/. Accessed on: March 5, 2020.

ITU-D. **About the ITU-D and the BDT.** Available at: https://www.itu.int/en/ITU-D/Pages/About.aspx. Accessed on: March 7, 2020.

ITU-R. **Welcome to ITU-R.** Available at: https://www.itu.int/en/ITU-R/information/Pages/default.aspx. Accessed on: March 6, 2020.

ITU-T. **ITU-T in brief.** Available at: https://www.itu.int/en/ITU-T/about/Pages/default.aspx. Accessed on: March 6, 2020.

KANE, G. C., & Alavi, M. **Information technology and organizational learning:** An investigation of exploration and exploitation processes**. Available at:** https://pubsonline.informs.org/doi/abs/10.1287/orsc.1070.028. Accessed on: March 06, 2020.

KANE, GERALD. **Social Media's Expanding Relationship Universe.** Available at: https://sloanreview.mit.edu/article/social-medias-expanding-relationship-universe/ Accessed on: March 06, 2020

KITCHIN, Rob. **The Revolution of Data:** big data, open data, data infrastructures & their consequences. Sage Publishing, Los Angeles, 2017.

KOEZE, Ella; POPPER, Nathaniel. **The Virus Changed the Way We Internet.** Available at: https://www.nytimes.com/interactive/2020/04/07/technology/coronavirus-internet-use.html. Accessed on: June 23, 2021.

LIMBERGER, Têmis. **Direito e informática:** o desafio de proteger os direitos do cidadão. In: Direitos, Fundamentais, Informática e Comunicação algumas aproximações. SARLET, Ingo Wolfgang (Org.), Porto Alegre: Livraria do Advogado, 2007a.

MAGRANI, Eduardo. **A Internet das Coisas.** Rio de Janeiro: FGV Editora, 2018, p. 20.

MAGRANI, Eduardo. **Entre dados e robôs:** ética e privacidade na era da Hiperconectividade. Porto Alegre: Arquipélago Editorial, 2019, p. 32.

MAJCHZAK, A., Cherbakov, L., & Ives, B. (2009). **Harnessing the power of the crowds with corporate social networking tools:** How IBM does it. MIS Quarterly Executive, 8(2), 103. Available at: https://www.researchgate.net/profile/Ann_Majchrzak/publication/256042406_Technology_Affordances_and_Constraints_in_Management_Information_Systems_MIS/links/568fe4c008aec14fa55793b2.pdf. Accessed on: March 02, 2020.

MARCELLA Jr, Albert J.; STUCKI, Carol. **Privacy Handbook:** Guidelines, exposures, policy implementation, and international issues. Hoboken: John Wiley & Sons (Inc), 2003.

MASCARO, Alysson Leandro. Filosofia do Direito e seus horizontes. **Revista Cult,** 2012. Available at: https://revistacult.uol.com.br/home/a-filosofia-do-direito-e-seus-horizontes/. Accessed on: March 1, 2020.

MERTENS, Fábio Alceu. Análise histórica e legislativa do princípio constitucional da inviolabilidade à vida privada e à intimidade. **Revista Eletrônica Direito e Política,** v. 1, n. 1, 2006, p. 178-198.

MICHAEL, James. **Privacy and Human Rights**: An International and Comparative Study, with Special Reference to Developments in Information Technology. London: Dartmouth Pub Co, 1994.

MPO. **The oldest organization of the UN system, the International Telecommunication Union celebrates 150th anniversary.** Available at: https://www.mpo.cz/en/guidepost/for-the-media/press-releases/the-oldest-organization-of-the-un-system–the-international-telecommunication-union-celebrates-150th-anniversary–158129. Accessed on: Dec. 23, 2019.

OBSERVATÓRIO DA INTERNET NO BRASIL. **Para além das "fake news**": os componentes da chamada "desordem informacional". Available at: https://observatoriodainternet.br/post/para-alem-das-fake-news-os-componentes-da-chamada-desordem-informacional. Accessed on: April 20, 2020.

OLIVEIRA, Déborah. **10 riscos da Internet das Coisas até então esquecidos.** Available at: https://www.itforum365.com.br/10-riscos-da-internet-das-coisas-ate-entao-esquecidos/. Accessed on: April 19, 2020.

ONAUDIENCE. **Global data & display advertising market size report for 2017-2019**. Available at: https://www.onaudience.com/resources/top-data-markets/. Accessed on: March 13, 2020.

ONLINE ETYMOLOGY DICTIONARY. **Communication**. Available at:
https://www.etymonline.com/search?q=communication. Accessed on: March 6, 2020.

ONTARIO HUMAN RIGHTS COMMISSION. **Count me in! Collecting human rights-based data.** Available at: http://www.ohrc.on.ca/en/count-me-collecting-human-rights-based-data. Accessed on: May 11, 2020.

ONU BRASIL. **The Universal Declaration of Human Rights**. Available at:
https://nacoesunidas.org/direitoshumanos/declaracao/. Accessed on: March 6, 2020.

OXFORD REFERENCE. **Isonomy**. Available at:
https://www.oxfordreference.com/view/10.1093/oi/authority.20110803100013129. Accessed on: March 6, 2020.

PEW RESEARCH CENTER. **The Internet and Daily Life.** Available at:
https://www.pewresearch.org/internet/2004/08/11/the-internet-and-daily-life/. Accessed on: March 8, 2020.

PIRES NETO, Ari Alvares. **A privacidade dos registros públicos disponibilizados na internet**. 2008. 116 f. Dissertação (Mestrado) – Curso de Direito, Pontifícia Universidade Católica do Rio de Janeiro, Rio de Janeiro, 2008.

PRIVACY INTERNATIONAL**. Examples of Abuse.** Available at:
https://privacyinternational.org/examples. Accessed on: April 20, 2020.

PRIVACY INTERNATIONAL. **Privacy and Human Rights:** an international survey of privacy laws and practice. Available at: http://gilc.org/privacy/survey/intro.html#right. Accessed on: March 3, 2020.

PRIVACY POLICY. **What's Data Privacy Law In Your Country?.** Available at:
https://www.privacypolicies.com/blog/privacy-law-by-country/amp/. Accessed on: March 10, 2020.

QUARTZ. **How your personal data is being used to manipulate capitalism**. Available at:
https://qz.com/1743751/how-your-personal-data-is-being-used-to-manipulate-capitalism/. Accessed on: April 20, 2020.

REALE, Miguel. **Lições Preliminares de Direito.** 27. ed. São Paulo: Editora Saraiva, 2004.

RODOTÀ, Stefano. **A vida na sociedade da vigilância hoje**. Translated by Danilo Doneda and Luciana Cabral Doneda. Rio de Janeiro: Renovar, 2008.

SAUDELLI, Lucia. Heráclito Latino. Um caso de estudo. **Anais de Filosofia Clássica,** v. 5, n. 9, 2011, p. 46-60.

SCIENCE DIRECT. **The data economy:** How technological change has altered the role of the citizen-consumer. Available at:

https://www.sciencedirect.com/science/article/pii/S0160791X19300569?via%3Dihub#!.
Accessed on: March 09, 2020.

SITRA. **A Roadmap for a Fair Data Economy**. Available at:
https://media.sitra.fi/2019/04/09132843/a-roadmap-for-a-fair-data-economy.pdf. Accessed
on: March 13, 2020.

SPRINGER LINK. **History of Privacy**. Available at:
https://link.springer.com/content/pdf/10.1007/978-3-642-03315-5_2.pdf. Accessed on: March
21, 2020.

STATISTA. **The 100 largest companies in the world by market value in 2019**. Available
at: https://www.statista.com/statistics/263264/top-companies-in-the-world-by-market-value/.
Accessed on: March 19, 2020.

STATISTA. **The Countries With The Most GDPR Data Breaches**. Available at:
https://www.statista.com/chart/20566/personal-data-breaches-notified-per-eea-jurisdiction/.
Accessed on: March 21, 2020.

THE GUARDIAN. **'Shocking' hack of psychotherapy records in Finland affects
thousands.** Available at: https://www.theguardian.com/world/2020/oct/26/tens-of-thousands-
psychotherapy-records-hacked-in-finland. Accessed on: June 24, 2021.

THE GUARDIAN. **The Cambridge Analytica scandal changed the world – **but it didn't
change Facebook. Available at: https://www.theguardian.com/technology/2019/mar/17/the-
cambridge-analytica-scandal-changed-the-world-but-it-didnt-change-facebook. Accessed on:
March 12, 2020.

THE GUARDIAN. **The great British Brexit robbery**: how our democracy was hijacked.
Available at: https://www.theguardian.com/technology/2017/may/07/the-great-british-brexit-
robbery-hijacked-democracy. Accessed on: March 21, 2020.

THE HILL. **A right to digital self-defense will prevent abuse of COVID-19 surveillance
apps**. Available at: https://thehill.com/opinion/cybersecurity/493524-a-right-to-digital-self-
defense-will-prevent-abuse-of-covid-19. Accessed on: April 20, 2020.

THE NEW YORK TIMES. **Net Neutrality Has Officially Been Repealed. Here's How
That Could Affect You.** Available at: https://www.nytimes.com/2018/06/11/technology/net-
neutrality-repeal.html%20The%20New%20York%20TImes Accessed on: March 07, 2020.

TOWARDS DATA SCIENCE. **Data and the Future of Value**. Available at:
https://towardsdatascience.com/data-is-the-new-dollar-the-future-of-value-79cf4347b2ce.
Accessed on: April 20, 2020.

UNITED NATIONS DEPARTMENT OF ECONOMIC AND SOCIAL AFFAIRS. **Frontier
Technology Quarterly:** Data Economy: Radical transformation or dystopia?. Available at:
https://www.un.org/development/desa/dpad/publication/frontier-technology-quarterly-
january-2019/. Accessed on: March 13, 2020.

UNITED NATIONS GENERAL ASSEMBLY. **Human Rights Declaration.** Available at: http://www.un.org/en/universal-declaration-human-rights/. Accessed on: March 3, 2020.

UNITED NATIONS HUMAN RIGHTS OFFICE OF HIGH COMMISSIONER. **International Covenant on Civil and Political Rights**. Available at: https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx. Accessed on: March 6, 2020.

UNITED NATIONS STATISTICS DIVISION. **Knowledge is Power:** A Short History of Official Data Collection in the UK. Available at: https://unstats.un.org/unsd/wsd/docs/UK_wsd_KnowledgeIsPower.pdf. Accessed on: March 21, 2020.

UNITED NATIONS SYSTEM. **GA RESOLUTION 124(II)** - 15 NOVEMBER 1947. Available at: https://www.unsystem.org/content/ga-resolution-124ii-15-november-1947. Accessed on: March 1, 2020.

UNITED NATIONS SYSTEM. **International Telecommunication Union.** Available at: https://www.unsystem.org/content/itu. Accessed on: March 4, 2020.

UNITED NATIONS SYSTEM. **Structure.** Available at: https://www.unsystem.org/content/itu?qt-view__field_collection_view__default=1#qt-view__field_collection_view__default. Accessed on: March 5, 2020.

UNITED NATIONS TREATY COLLECTION. **Constitution and Convention of the International Telecommunication Union.** Available at: https://treaties.un.org/Pages/showDetails.aspx?objid=08000002800b0730. Accessed on: March 14, 2020.

UNITED NATIONS. **Big Data for Sustainable Development**. Available at: https://www.un.org/en/sections/issues-depth/big-data-sustainable-development.html. Accessed on: March 13, 2020.

UNITED NATIONS. **Universal Declaration of Human Rights**. Available at: https://www.un.org/en/universal-declaration-human-rights/. Accessed on: March 6, 2020.

VIEIRA DE LORENZI CANCELIER, Mikhail. O direito à privacidade hoje: perspectiva histórica e o cenário brasileiro. **Seqüência:** Estudos Jurídicos e Políticos, Florianópolis, v. 38, n. 76, p. 213-240, set. 2017. ISSN 2177-7055. Available at: https://periodicos.ufsc.br/index.php/sequencia/article/view/2177-7055.2017v38n76p213. Accessed on: March 2, 2020.

WARREN, Samuel Dennis; BRANDEIS, Louis. The right to privacy. **Harvard Law Review**, v. 4, n. 5, 1890, p. 195.

WEINGARTNER NETO, Jayme. **Honra, privacidade e liberdade de imprensa:** uma justificação penal. Porto Alegre: Livraria do Advogado, 2002.

WORLD ECONOMIC FORUM. **A brief history of big data everyone should read**. Available at: https://www.weforum.org/agenda/2015/02/a-brief-history-of-big-data-everyone-should-read/. Accessed on: March 10, 2020.

WORLD SUMMIT ON THE INFORMATION SOCIETY. **About WSIS:** UN General Assembly Resolution 56/183. Available at: https://www.itu.int/net/wsis/docs/background/resolutions/56_183_unga_2002.pdf. Accessed on: March 2, 2020.