Position Paper- France

Since we are living in an age of a rapidly developing technique society and digitalisation, the question arises to what extent society has to improve fundamental rights to protect the individual in the digital world.

The digital charta tries to give answers to the question, how to protect the individual’s freedom within the age of digitalism- against states, but also against international enterprises.

Therefore, the charta tries to focous on aspect such as data security and privacy but also how to deal with hate and chevy on the Internet.

During the last years, we as France, also began to highlight digitalism and the juridicial problems that are caused by it and tried to find solutions to offer better protection of fundamental rights for our citizen.

Therefore, in 2014 in the report „Etude annuelle 2014 du Conseil d'Etat - Le numérique et les droits fondamentaux“, the „Conseil d’Etat“ focused on that problem and tried to find suitable solutions.

France as well as Germany appear as pioneers concerning digitalisation and want to put forward the internet economy to trigger a digitalizaiton within economy and society.

„Germany and France want to be the engine of that development“, Angela Merkel said at a conference concerning digitalisation in Berlin.

As a consequence, both countries are eager to endorse a change to the new digital world, that is efficient but at the same time also compatibe with society.

Hence, the idea of a digital charta as initiated by Germany in the European Parliament supports France’s aim to find an adequate equilibre between digital improvment for economy on the one hand but also a good and appropriate protection of fundamental rights for the citizen on the other.

Creating a digital charta with digital rights might be a step towards the right direction and could finally help to guarantee a protection of fundamental rights within the digital world and to fill the judicial gap that arised due to that societal development.

France especially supports the Art.5 that concerns the freedom of liberty and public but also wants to raise awareness that this particular right might lead to controversy since there is a thin line between freedom of expression firstly and chevy on the Internet secondly. Particularly the Internet simplifies the possibility of giving hate speeches and spreading chevy on other people as the Internet guarantess anonymity to a certain degree. As a result, France wants to further discuss and emphasize on Art. 5.

Further, Art. 11 and 13 concerning data security, sovereignty and protection deserve further attention as the citizens’ data appaer to be their own property, that has to be cared for and protected by state but at the same time they are an important factor of society and digital economy.

Consequently, France wants to draw further attention on those rights, too.

All in all, France endorses the idea of a digital charta, as the increasing digitalisation leads to a change in our existence and therewith to a transformation and expansion of the fundamental rights proctection for our citizen.

Therefore it is important for all of us to discuss the and actively participate in that change.