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Moving away from the security-privacy trade-off: The use of the test of proportionality in decision support

Bernadette Somody, EKINT

Mate D. Szabo, University of Miskolc

Ivan Szekely, EKINT

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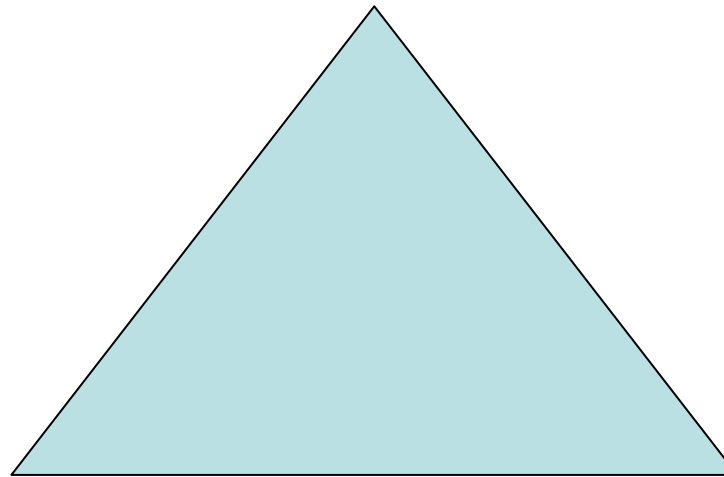
The trade-off model and its critiques

- Security and privacy are often presented in a trade-off model
 - The result of the trade-off is a zero-sum game
 - Security can only be realized at the expense of privacy
- ▶ Increasing criticism:
- Often less privacy but no enhanced security
 - There exist positive-sum games (win-win situations)
(more cameras or stronger locks?)
 - PRISMS survey: two independent values in people's mind



Problem space and theses

Security/Privacy Conflicts



Test of Proportionality

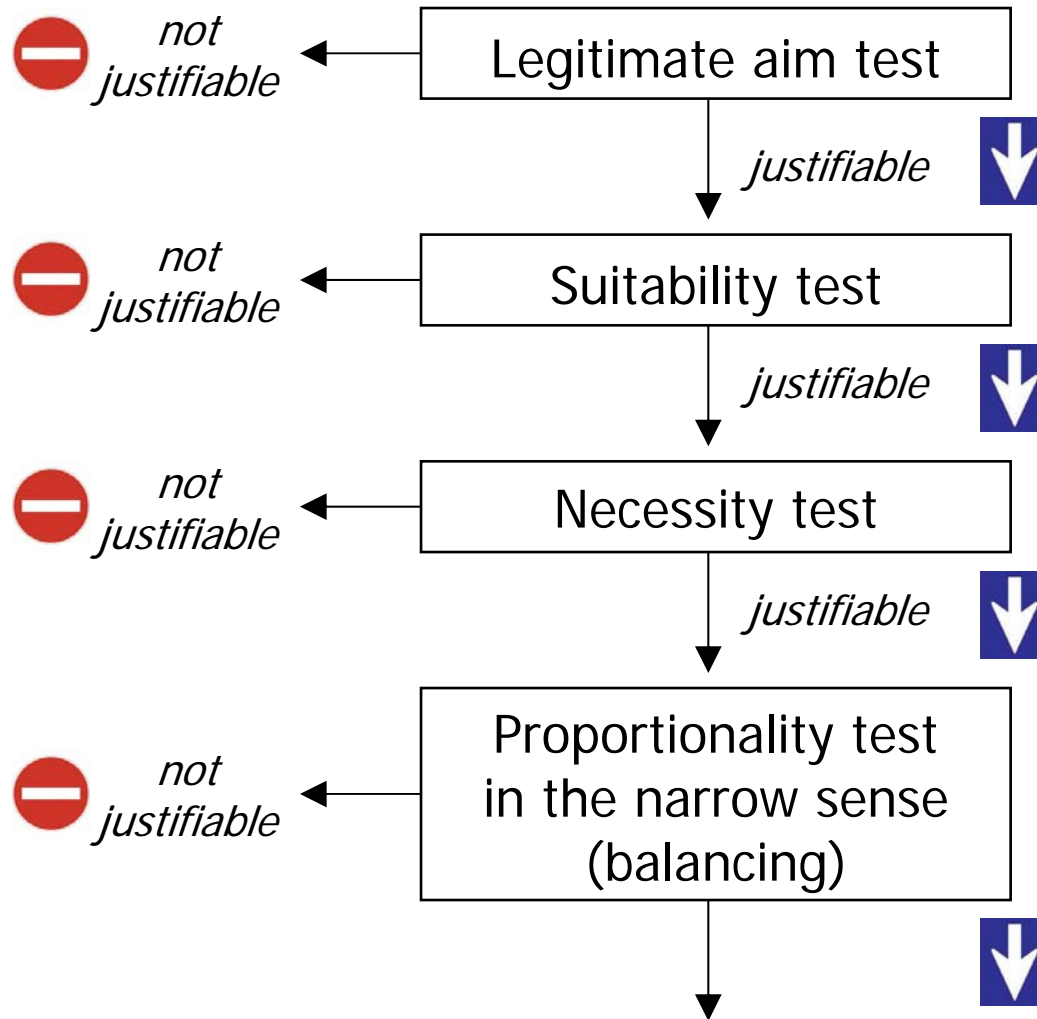
Decision Support



1. Converting the methodology
2. Shifting the weight of the elements

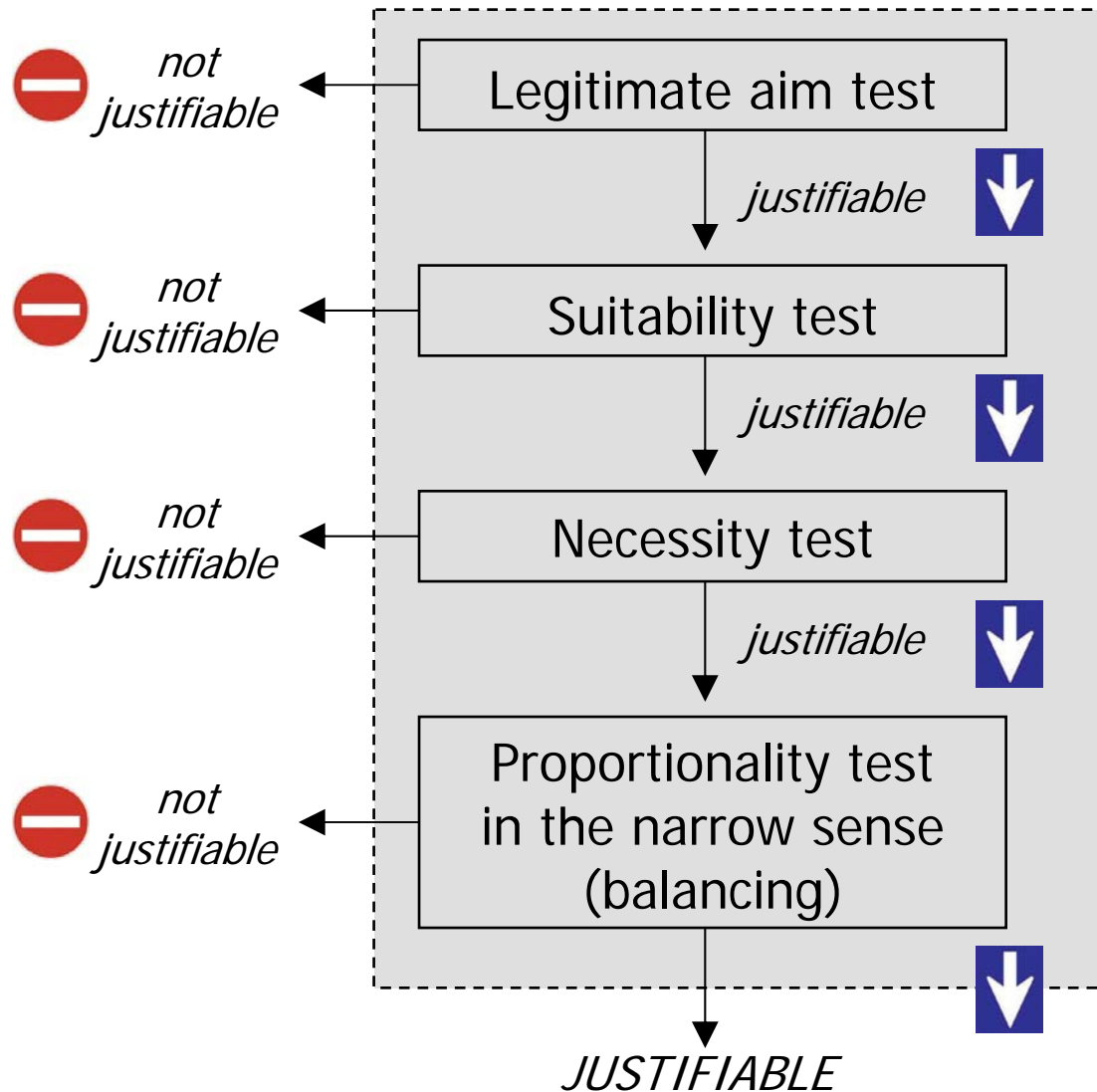


The test of proportionality





The test of proportionality



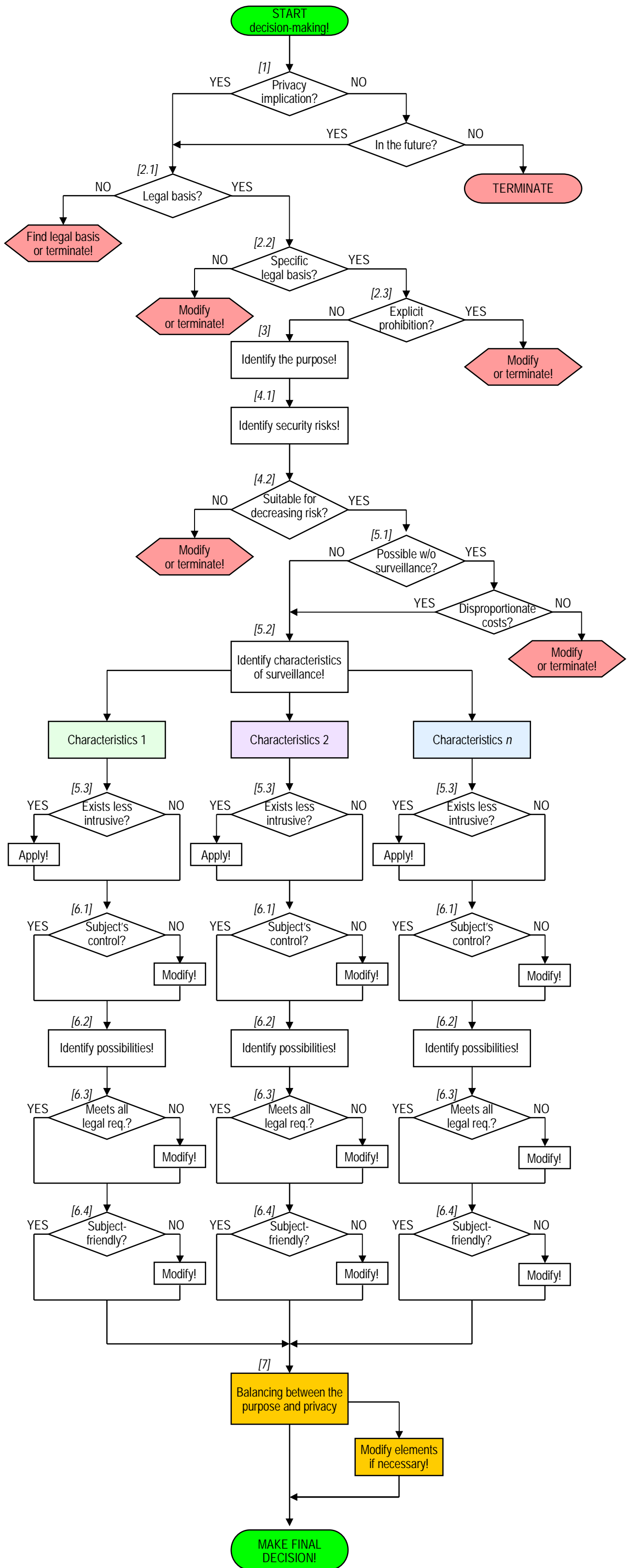


Exporting the Test to a decision-making situation

- Offering a strict methodology
- Converting the methodology from a State-Citizen relationship to decision-making on implementing surveillance measures
- Keeping the core concept but modifying the order of steps
- Detailed questions regarding the nature of surveillance

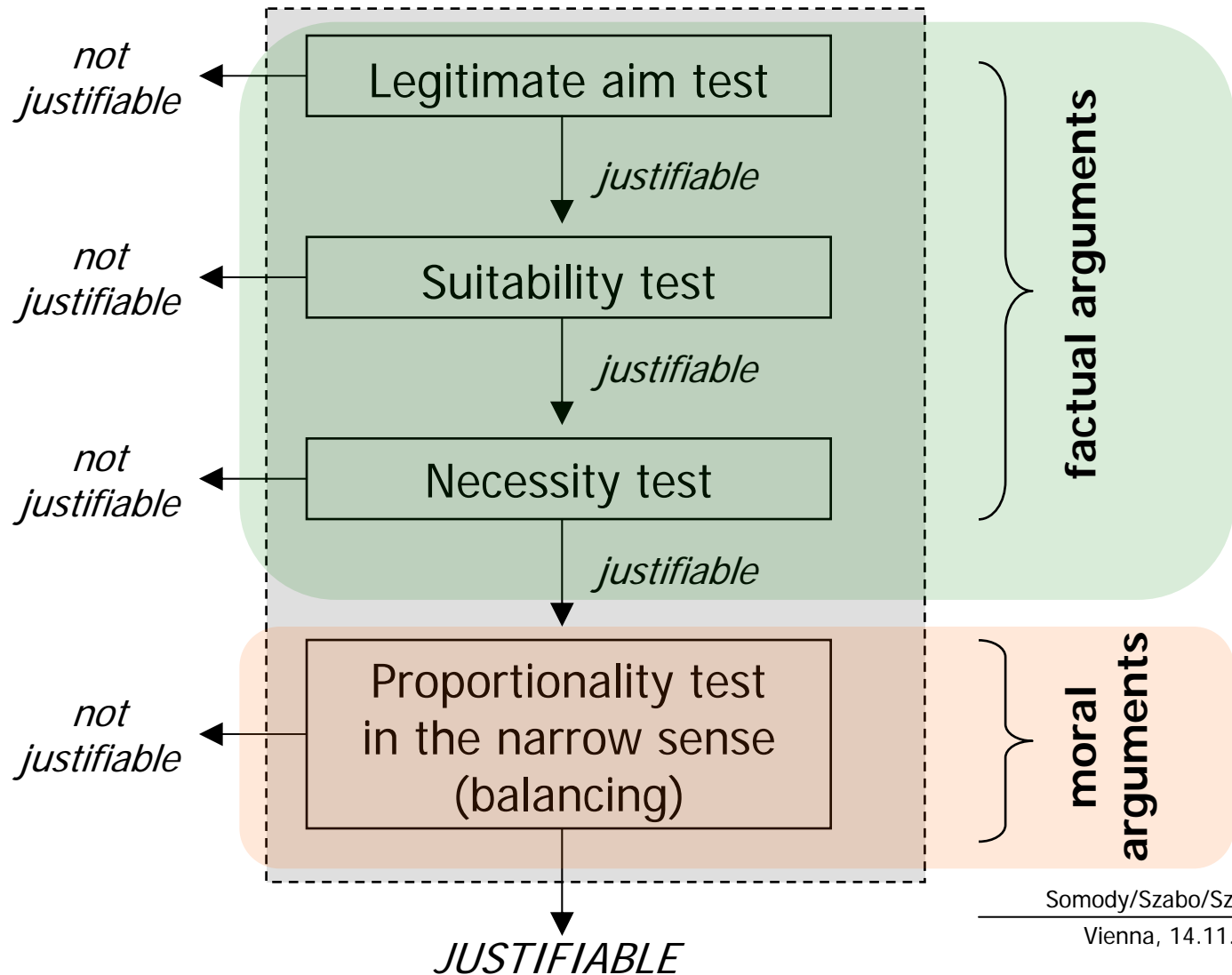
Moving away from the security-privacy trade-off:

Test of Proportionality in surveillance-related decision-making





A shift in the weight of the elements of the Test





The result of applying the methodology

- Increased awareness of impacts
- More substantiated reasoning
- Opportunities for modifying the planned measures in time
- Less room for arbitrary decisions
- Moving away from the trade-off model



Possible feedback to the legal approach

Taking the Test seriously:

- Emphasizing the factual elements of the Test
- Less room for moral decisions
- More substantiated decisions
- Moving away from the trade-off approach
- Searching for solutions satisfying both interests and rights

Questions, comments?

somodyb@ekint.org

szabomat@szabomat.hu

szekelyi@ceu.hu

