

## **EC-funded project calls for greater transparency and accountability re use of surveillance systems**

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The IRISS project, funded by the EC under the 7th Framework Programme, has just published a major 412-page report entitled *Surveillance, Fighting Crime and Violence*. The report analyses the factors underpinning the development and use of surveillance systems and technologies by both public authorities and private actors, their implications in fighting crime and terrorism, social and economic costs, protection and infringement of civil liberties, fundamental rights and ethical aspects.

The IRISS consortium has identified the following trends: (1) a substantial growth of public sector demand for surveillance bolstered by the adoption of identity schemes and terrorist detection technologies and markets, (2) an increase in the demand for civil and commercial surveillance, (3) the development of a global industry in surveillance, (4) an increase in integrated surveillance solutions, and (5) a rise in the government use of cross-border surveillance solutions.

“The role of surveillance in law enforcement is expanding,” says IRISS project co-ordinator Reinhard Kreissl. “There has been a shift in its use in identifying offenders before they have committed a crime. This has affected the presumption of innocence in a way that citizens are now considered suspects (a shift to a presumption of guilt).” With the growth of encompassing preventive surveillance, the presumption of innocence as an important legal safeguard is gradually hollowed out.

“There are numerous open questions about the usefulness and effectiveness of surveillance technologies and their possible rebound effects, specifically in relation to surveillance measures introduced to fight terrorism and organised crime without knowledge of their effectiveness and consideration of their negative side effects.”

Among the report’s other findings and recommendations are these:

Important social costs of surveillance include the social damage caused by false positives of suspects of criminal and terrorist activities, the categorical suspicion and discrimination of members of certain social or ethnic groups, the marginalising effects and social inequalities caused by invasive monitoring of those of lower social status, the inhibitory effects of surveillance which can undermine social and democratic activities, and the erosion of trust in society.

There are gaps and deficiencies in the law and in jurisprudence as they struggle to keep pace with technological development and institutional practice, perhaps especially in an online environment and in a climate of enhanced law enforcement and counter-terrorist policy.

Data protection authorities as external overseers and regulators typically focus upon the privacy-related implications of surveillance and find it difficult to embrace a wider perspective of values in their regulatory exhortations and enforcement practice. The laws within which they operate do not normally give them a licence to roam across the range of values to invoke when they seek to limit surveillance.

The European surveillance industry is developing at a rapid pace and is expected to continue doing so. However, surveillance companies from Europe face stiff competition from companies from outside the European Union.

Europe requires a multi-level strategy to build resilience in society vis-à-vis surveillance. The consortium recommends that industry associations develop surveillance-related guidelines and codes of ethics, and foster greater corporate social responsibility practices.

Greater transparency and accountability for the surveillance industry might come through the adoption of privacy impact assessments (PIAs) or surveillance impact assessments (SIAs) and through the development of standards and certification requirements for surveillance technologies.

This report is the first of several expected from the IRISS project. Other reports will address the key features raised by social, political and legal perspectives of surveillance and democracy; comparative empirical evidence concerning the impact of surveillance on democratic and open societies based on five case studies; citizen attitudes towards surveillance; the exercise of democratic rights under surveillance regimes; and options for enhancing social, economic and institutional resilience in “democratic” surveillance societies.

The report was produced by a consortium of 16 partners from universities, research institutes and companies from Austria, Belgium, Germany, Hungary, Italy, Norway, Slovakia, Spain and the United Kingdom. IRISS is the acronym for “Increasing Resilience in Surveillance Societies”, a three-year project which began in February 2012. The consortium prepared the report for the European Commission’s Directorate-General for Research & Innovation.

For more information, including a copy of the report:

[http://irissproject.eu/?page\\_id=9](http://irissproject.eu/?page_id=9)

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