

United Nations
Human Rights Council
(UNHRC)

Study Guide

Evaluating potential human rights infringements by technological development

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Chairs letter

Most esteemed delegates,

As the chair and co-chair of the Human Rights Council, it is our pleasure to welcome you all to the 6th session of ZAMUN, held in the beautiful city of Žilina. During the sessions, we will be discussing a topic of global significance: Potential human rights infringements by technological development. Given the recent events, UNHRC has a responsibility to address this matter.

Prepare yourselves for a few days full of fruitful yet challenging debates. You will not only have the perfect opportunity to practise your argumentation skills, but English skills as well. In addition to that, you will have a chance to negotiate with others while protecting the interests of the country you will be representing.

MUN is not just about debates, there are many other activities involved, so if you are not fully convinced it is worth coming, this might make you want to honour us with your presence. Furthermore, you will get to meet new people and establish friendships, that will last. These people might even help you in the future, therefore you should not miss this opportunity.

We have prepared a very informative and detailed study guide for you. Our goal as chairs is to get everybody involved and keep up a steady flow of debate. Therefore, we would like to encourage you to read it carefully. Bearing in mind that for many of you, it will be your first conference, we would like to help you. Please, if you are unsure of anything or have any questions, feel free to contact us.

We very much look forward to meeting you all

Your chair and co-chair
Stela Krištofiková and Alexandra Janasová

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Introduction to the committee

The Human Rights Council is an inter-governmental body within the United Nations system responsible for strengthening the promotion and protection of human rights around the globe and for addressing situations of human rights violations and make recommendations on them. It has the ability to discuss all thematic human rights issues and situations that require its attention throughout the year. It meets at the UN Office at Geneva.

The Council is made up of 47 United Nations Member States which are elected by the UN General Assembly. The Human Rights Council replaced the former United Nations Commission on Human Rights.

The Council was created by the United Nations General Assembly on 15 March 2006 by resolution 60/251. Its first session took place from 19 to 30 June 2006. One year later, the Council adopted its "Institution-building package" to guide its work and set up its procedures and mechanisms.

Among them were the Universal Periodic Review mechanism which serves to assess the human rights situations in all United Nations Member States, the Advisory Committee which serves as the Council's "think tank" providing it with expertise and advice on thematic human rights issues and the Complaint Procedure which allows individuals and organizations to bring human rights violations to the attention of the Council.

The Human Rights Council also works with the UN Special Procedures established by the former Commission on Human Rights and now assumed by the Council. These are made up of special rapporteurs, special representatives, independent experts and working groups that monitor, examine, advise and publicly report on thematic issues or human rights situations in specific countries.¹



Universal declaration of Human Rights

The Universal Declaration of Human Rights (UDHR) is a milestone document in the history of human rights. Drafted by representatives with different legal and cultural backgrounds from all regions of the world, the Declaration was proclaimed by the United Nations General Assembly in Paris on 10 December 1948 (General Assembly resolution 217 A) as a common standard of achievements for all peoples and all nations. It sets out, for the first time, fundamental human rights to be universally protected and it has been translated into over 500 languages.²

Introduction to the topic

Nowadays, technology plays an increasingly important role in every part of our daily lives. It is common knowledge that it makes our lives easier. In addition, recent technological advances, especially in the field of telecommunications, IT, science and medicine, have a huge influence on economic and social development all over the world, and therefore, help many countries grow significantly.

In many cases, technology has allowed individuals to develop their human rights. The impact is probably the most striking in the case of freedom of speech: technology has allowed individuals to use their freedom to share their thoughts and ideas by using a whole range of new forms of communication.

However, alongside these positive aspects of technological development concerning human rights, we must also anticipate the negative ones. This year at ZAMUN we will be discussing grave problems that advances in technology pose for the disciplines of law and human rights.

¹ <http://www.ohchr.org/EN/HRBodies/HRC/Pages/AboutCouncil.aspx>

² <http://www.un.org/en/universal-declaration-human-rights/>

Generally, the use of technology has also exposed individuals to new risks to their human rights. The transition of these rights to the digital sphere is very visible since access to information is nowadays frequently restricted in the form of governments censoring content online. Furthermore, the right to privacy in the digital sphere has received a lot of attention in recent years, as evidence continues to resurface that private data can be accessed ever easier by third parties, including governments, companies or criminals.

History of the topic

During the Second World War mankind experienced extreme cruelties on a large scale, both from policies based on ideologies which emphasised the supposed inequality of "races," and from the uses of new military technologies. After the turmoil of this war the Universal Declaration of Human Rights (1948) stressed that: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood." The universality of human rights is, again, emphasised in Article 2: "Everyone is entitled to all the rights and freedoms set forth in the Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social

origin, property, birth, or other status." Human beings, endowed with reason and conscience, are to be treated as ends in themselves, and not as passive victims of conditions and contingencies they cannot control.

Looking back on the advent of industrial society, it may come as a surprise when we see how little attention was paid, until recently, to a systematic analysis of the relationships between technological changes, on the one hand, and the development and actual implementation of human rights, on the other.

Technology has been turned against human rights – or so it seemed from Edward Snowden’s revelations in 2013. The technological advances that enabled the Arab Spring and empowered citizen journalists were exposed as facilitating unfettered surveillance worldwide and outstripping legal protections. We learned that Big Brother, a standby of totalitarian regimes, is also operating in Washington DC. The National Security Agency (NSA) was watching and gathering data from millions of people, with what many have viewed as inadequate congressional oversight, under overbroad authority approved by secretive courts. It turned out the agency overstepped even these feeble checks, as internal audits showed.

It’s clear that privacy laws passed before the Internet and mobile phones existed provide dubious protections nowadays.

The Impacts of Automation and Mechanisation on Human Rights

In recent years, the “future of work” has been a topic of heated debate and speculation. As automation and mechanisation continues to develop through robotics and artificial intelligence, difficult questions arise regarding the broader impact of these advancements on jobs, workers, and wages. As automation and mechanisation advances into new sectors where the traditional work force was built upon manual human labor, such as apparel, electronics, and agriculture, inquiries into the impacts of robots on rights must be addressed.

Robots to worker ratios are rising rapidly in factories around the world. According to Futurism, the global average is .66 robots per 100 workers. In the United States, that average is 1.64 robots per 100 workers, and in South Korea, it’s as high as 4.78 robots per 100 workers.¹ These numbers are expected to grow rapidly. With scientific and engineering advances increasing the efficacy and functioning of robots, decreasing the cost of utilising them, and expanding the types of functions robots can perform, the labor markets in a growing number of sectors and countries may realistically reach a breaking point.

While most of the research and discussion on the economic effects of “robotisation” has focused on developed countries; less attention has been paid to the risks of low-skilled labours in developing countries. According to recent studies, the work forces in developing countries are at higher risk of absorbing the negative effects of automation and mechanisation.

A recent study by the United Nations Conference on Trade and Development (UNCTAD) on the effect of robots in developing countries on industrialisation and the labor market predicts that as low-skilled human labor is substituted for robots, labor markets will shift from developing to developed countries—leaving large amounts of low-skilled workers in global supply chains unemployed.

According to the World Bank, 2016 World Development Report, about two-thirds of all jobs in develop-

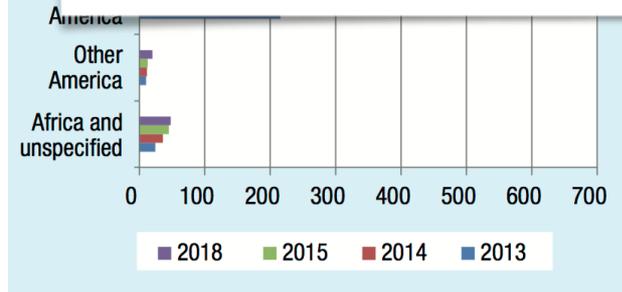
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Source: UNCTAD secretariat calculations, based on International Federation of Robotics, 2015, World Robotics 2015: Industrial Robots, available at <http://www.ifr.org/industrial-robots/statistics/>

Fully autonomous weapons and the Threat to Human Rights

Lethal autonomous weapon systems (LAWS) are weapon systems that, once activated, can select and engage targets without further intervention by a human operator. Weapons system experts typically distinguish among technologies where there is a "human in the loop" (semi-autonomous systems where a human being controls the technology as it operates), a "human on the loop" (human-supervised autonomous systems where a person can intervene and alter or terminate operations), or a "human out of the loop" (fully autonomous systems that operate independent of human control).

It is believed that a requirement to maintain human control over the use of weapons is needed to "protect the dignity of human life, facilitate compliance with international humanitarian and human rights law, and promote accountability for unlawful acts."

The HRW (Human Rights Watch) and IHRC (Harvard's International Human Rights Clinic) argue that killer robots would necessarily "deprive people of their inherent dignity." The core argument here is that inanimate machines cannot understand the value of individual life and the significance of its loss, while soldiers can weigh "ethical and unquantifiable factors" while making such decisions.

In addition, the HRW and IHRC believe that LAWS could not comply with the requirements of international human rights law, specifically the obligations to use force proportionally and to distinguish civilians from combatants. They further claim that killer robots, unlike soldiers and their commanders, could not be held accountable and punished for illegal acts.

Yet many experts argue that it may well be the case that killer robots could better protect human rights during combat than soldiers using conventional weapons do now. Ronald Arkin, a roboticist at the Georgia Institute of Technology, argues that LAWS could have significant ethical advantages over human combatants. For example, killer robots do not need to protect themselves, and so could refrain from striking when in doubt about whether a target is a civilian or a combatant. War robots, Arkin contends, could assume "far more risk on behalf of noncombatants than human war fighters are capable of, to assess hostility and hostile intent, while assuming a 'First do no harm' rather than 'Shoot first and ask questions later' stance."

LAWS, he suggests, would also employ superior sensor arrays, enabling them to make better battlefield observations. They would not make errors based on emotions—unlike soldiers, who experience fear, fatigue, and anger. They could integrate and evaluate far more information faster in real time than could human soldiers. And they could objectively monitor the ethical behaviour of all parties on the battlefield and report any infractions.

Internet

Today, we can't imagine our lives without the Internet. It is an important source of information, widely used means of communication, space for entertainment as well as for electronic business. We use it daily and the number of users of the Internet is increasing. It definitely makes life easier and more comfortable. But on the other side, it creates a new area for infringing human rights.

Definition of the Internet

A global computer network providing a variety of information and communication facilities, consisting of interconnected networks using standardized communication protocols³

History of the Internet

Although, people were thinking about connecting the computers or predicted it much earlier, the first most significant invention in history of the Internet was ARPANET (full name: Advanced Research Projects Agency Network). It was the project of ARPA (today known as DARPA, agency of the United States Department of Defence) which came to reality in 1969 by the interconnection of four university computers. It was based on the concept of packet switching, which consists of breaking data down into blocks (or packets), before sending them to its destination.

In the following years, ARPANET grew steadily. In 1971, ARPANET added the University of Hawaii's ALOHAnet and in 1973, the University College of London (England) and Royal Radar Establishment (Norway) connected to it as well. And that was when the term Internet was born.

Then other networks were established, including CYCLADES, X.25, Merit Network, UUCP and Usenet.

In 1982, TCP (Transmission Control Protocol) and IP (Internet Protocol), commonly known as TCP/IP, emerge as the protocol for ARPANET. In fact, this TCP/IP is still used as the standard protocol for the Internet.

Domain name system was established in 1983 and started to utilise .edu, .gov, .com, .mil, .org, .net, and .int system for naming websites.

Leading Internet searching engine Google was founded in 1998. Later it acquired variety of companies and has become Alphabet, which is now a massive corporation.

In 1990, the ARPANET decommissioned. And one year later the World Wide Web was introduced by Tim Berns Lee, who worked for Switzerland's CERN.

A popular online social media and social networking service Facebook was launched on February 4, 2004 by Mark Zuckerberg together with Eduardo Saverin, Dustin Moskovitz and Chris Hughes while they were all students of Harvard College.

We have been sharing publicly or privately our photos and videos thanks to Instagram since 2010.

In any case, the Internet is still growing and improving so its history definitely doesn't finish and new applications, programs and websites are appearing more and more frequently.

Usage of the Internet

Internet user=individual who can access the Internet at home, via any device type and connection

Today, the access to the Internet has more than 40% of world's population. Although in 1995, it was less than 1%.

Statistics of the global Internet usage:⁴

³ <https://en.oxforddictionaries.com/definition/internet>

⁴ <http://www.internetlivestats.com/internet-users/>

Year	Internet Users	Penetration (% of Pop)	World Population	Non-Users (Internetless)	1Y User Change	1Y User Change
2016*	3,424,971,237	46.1 %	7,432,663,275	4,007,692,038	7.5 %	238,975,082
2014	2,956,385,569	40.7 %	7,265,785,946	4,309,400,377	8.4 %	227,957,462
2012	2,494,736,248	35.1 %	7,097,500,453	4,602,764,205	11.8 %	262,778,889
2010	2,023,202,974	29.2 %	6,929,725,043	4,906,522,069	14.5 %	256,799,160
2008	1,575,067,520	23.3 %	6,763,732,879	5,188,665,359	14.7 %	201,840,532
2006	1,162,916,818	17.6 %	6,600,220,247	5,437,303,429	12.9 %	132,815,529
2004	913,327,771	14.2 %	6,439,842,408	5,526,514,637	16.9 %	131,891,788
2002	665,065,014	10.6 %	6,282,301,767	5,617,236,753	32.4 %	162,772,769
2000	414,794,957	6.8 %	6,126,622,121	5,711,827,164	47.3 %	133,257,305

This table is an image of the development, growth and expansion of the Internet. Every minute new people are connecting and the capacity of the Internet is still increasing. You can see also that the ratio between internet users and non-users is becoming from year to year more equal.

Right to Privacy in a Digital Age

Privacy- The definition and meaning of privacy differs among individuals and cultures. But generally, privacy is an ability of an individual to seclude themselves and information about themselves and thereby express themselves selectively. Privacy is also understood as the state of being apart from company in order not to be observed or disturbed by other people.

Right to privacy is one of the basic human rights and it is concerned in the article 12 of the Universal Declaration of the Human Rights.

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 the protection of the law against such interference or attacks.”

With the invention of the Internet and especially the World Wide Web, the concept of personal privacy has changed. Today, almost all of our personal data is stored on the Internet. There has been a dramatic rise in the using of computers for administrative purposes over the past few years. As large scale information systems become more common, there is so much information stored in many databases worldwide that an individual has no way of knowing of or controlling all of the information about themselves that others may have access to. From our medical files and social security records to our payrolls, everything is stored in computerized data files. And as the technological development accelerates, the amount of stored personal data is increasing. Today, in different countries, there is a large system of the electronic ID cards, as well as biometric authentication. The right to privacy in digital sphere is an issue receiving a lot of attention, as there is a big threat that our private data can be accessed easier than ever by third parties, including governments, companies or criminals.

Privacy or national security

This is a question that many governments worldwide have to answer. The humankind has tried from its beginnings to avoid the threat of violence, as it inhibits its security and well-being. Therefore, governments and people responsible for the others try to do everything to avoid such a threat.

Nowadays, new technologies bring also the new threats, which are opening a question if and how much to narrow down some human rights, especially the right to privacy. There is a variety of economic crimes, as for example money laundering or corruption. But one of the most serious threats to national security is terrorism.

Terrorist attacks and terrorism is a widely-discussed topic. Terrorism is the use of intentionally indiscriminate violence as a means to create terror, or fear, to achieve a financial, political, religious or ideological aim. Terrorism itself is an attack on human rights.

The number of terrorist attack has recently increased excessively. At <http://www.globalincidentmap.com/> you can find a world map showing an overwhelming amount of terrorist attacks.

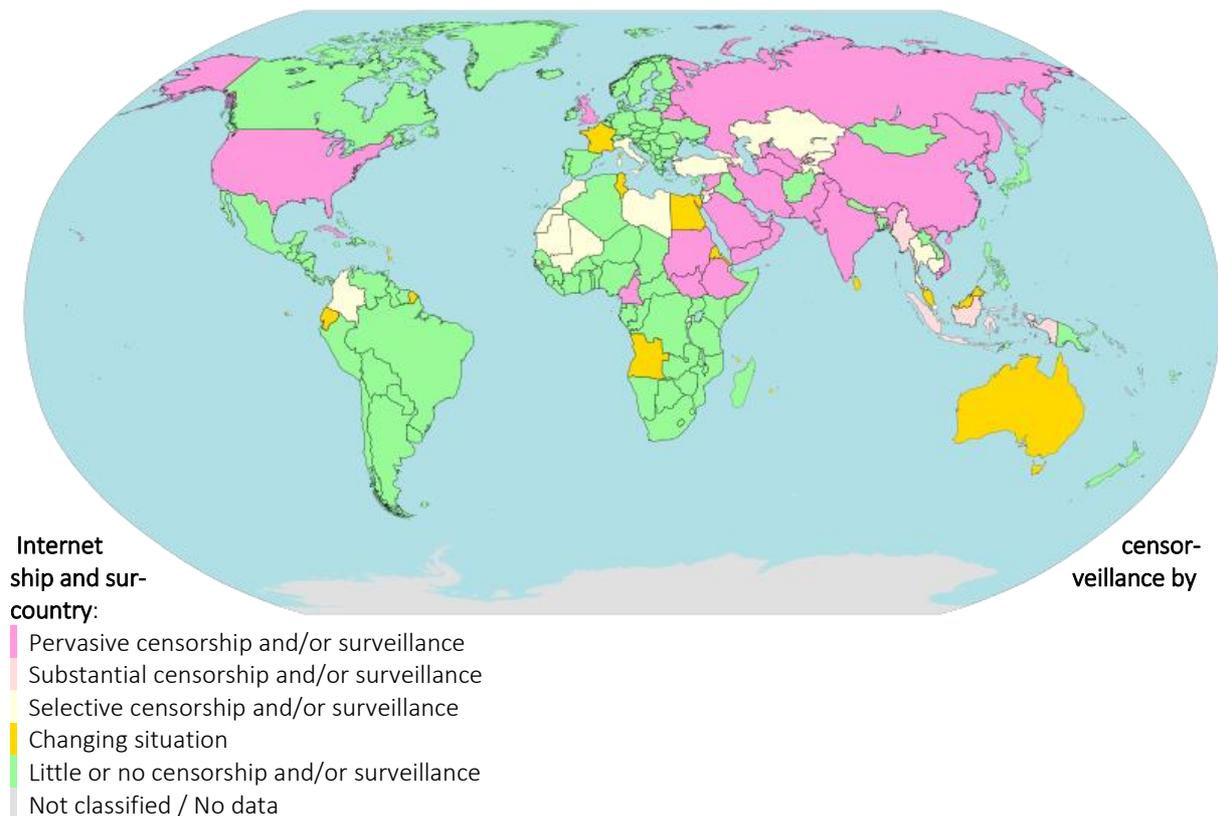
In the world, the region most affected by terrorist attacks is Middle East. But the worst terrorist attack ever in history was The September 11th attacks, which came as a series of four well organized terrorist attacks, planned

by the Al-Qaeda, targeting the US. The attacks killed approximately 2,996 people, injured more than 6,000, and destroyed property and infrastructure worth more than \$10 billion. And it is this attack which triggered the implementation of new laws around the world aiming to protect citizens from the similar attacks, but which are limiting the right to privacy.

Until recently, terrorism has been associated with physical acts of violence and crime; for example killings, bombings, kidnapping, destruction of property, etc. But the invention of Internet creates a brand new form of terrorism- Cyber terrorism. It has a different forms and it consists of cyber threats combined destruction of physical or virtual property with financial crime, propaganda, economic warfare and possibly physical harm to innocent human lives.

Terrorists are using internet as an important means of communication both with each other and the rest of the world. They use online message boards and chat rooms to share information, coordinate attacks, spread propaganda, raise funds and recruit.

As security of people is and definitely should be the priority of all the governments, they try to do everything to protect their citizen from the threats posed by terrorism, cyber-terrorism, as well as the cyber- crime. This protection is understood as the surveillance programs. Terrorism is the main target of the mass surveillance programs, as it poses an enormous threat to citizens.



The surveillance programs are on the one side protecting citizens from the variety of serious threats to security, as terrorists and criminals. But on the other side, these programs could be potentially infringing the right to privacy.

The public opinions to that problem are very different. One part of the society believes that government's use of closed-circuit television cameras in public spaces, warrantless wiretapping, and library record checks have the potential to save lives from criminals and terrorists with only minimal invasion of its citizens' privacy. In the same time, the other part is concerned that we are giving up too much in the name of national security without having any evidence that these infringements on our rights provide any benefit.

Internet and the right to freedom of expression

The internet provides huge opportunity for individuals to exercise the right to freedom of opinion and expression through communication and exchange of ideas. However, digital technology can also facilitate repression. Authoritarian governments now have enhanced capacities to censor expression, block or filter access to information, monitor online activity, and more effectively and efficiently control populations than they did in the pre-digital world. Unfortunately, digital technology has provided new comparative advantages to the most sophisticated authoritarian systems.

Governments around the world shut down the internet more than 50 times in 2016, according to the United Nations – suppressing elections, slowing economies and limiting free speech. So called ‘fake news’ proliferated in the 2016 US election, a phenomenon familiar to countries such as the Philippines and Indonesia where online news has huge reach and influence.

Russia has introduced significant restrictions to online speech and invasive surveillance of online activity and prosecutes critics under the guise of fighting extremism. The 83-page report, “Online and On All Fronts: Russia’s Assault on Freedom of Expression,” documents Russian authorities’ stepped-up measures aimed at bringing the internet under greater state control. Since 2012, Russian authorities have unjustifiably prosecuted dozens of people for criminal offenses on the basis of social media posts, online videos, media articles, and interviews, and shut down or blocked access to hundreds of websites and web pages. Russian authorities have also pushed through parliament a raft of repressive laws regulating internet content and infrastructure. These laws provide the Russian government with a broad range of tools to restrict access to information, carry out unchecked surveillance, and censor information the government designates as “extremist,” out of line with “traditional values,” or otherwise harmful to the public.

Perhaps the most advanced version of cyber repression is seen in China where a combination of digital tools for mass surveillance, censorship, and social monitoring provide a rich and comprehensive means of social and political control. In an “old school” dimension of its digital social-monitoring system, China apparently employs two million Internet police who are tasked with monitoring online activity of citizens and sifting through millions of messages on social media and micro-blogging sites. This data is compiled into government reports about the potential for social unrest and is used to clamp down on political and social activity. In February 2016, it was reported that 580 social media accounts were suspended by China’s Cyberspace Administration after allegations that users ignored their social responsibilities, abused their influence, and stained the honor of the state.

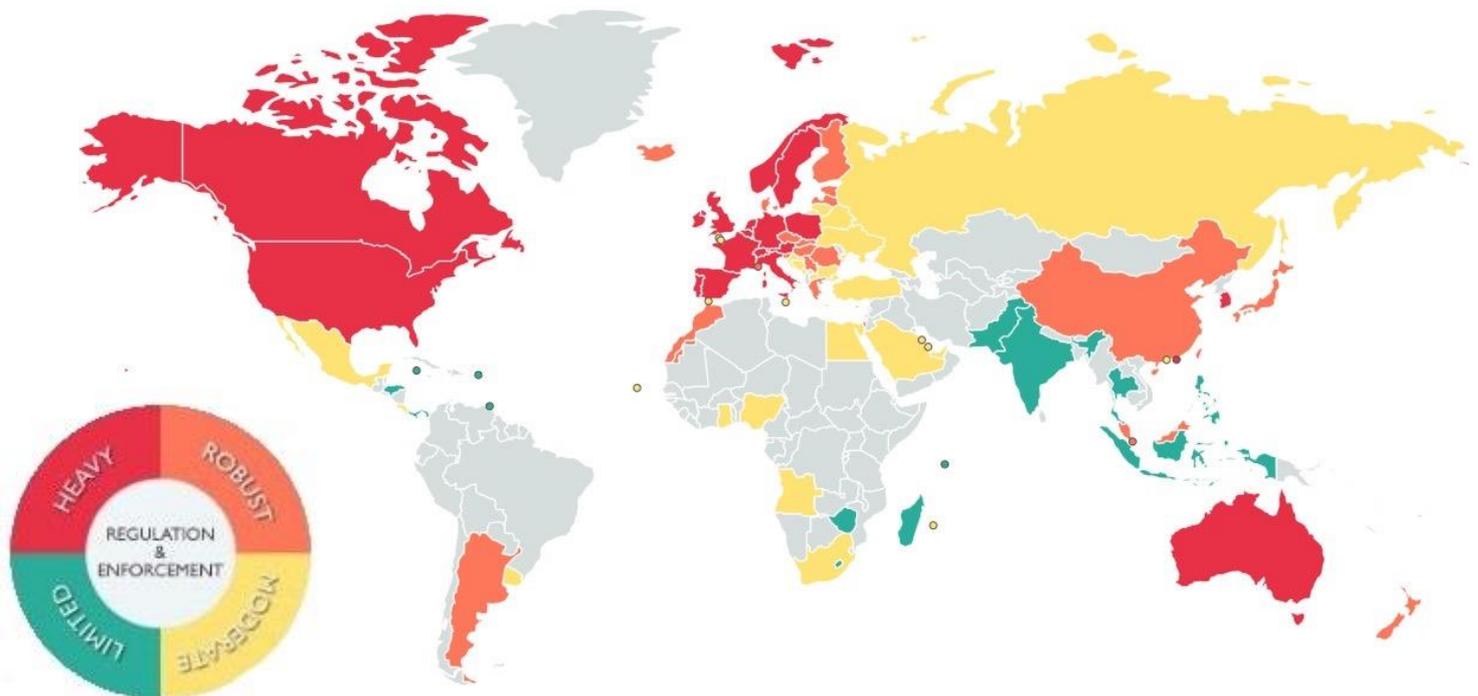
Measures already taken to tackle the problem

Campaign to stop Killer Robots

The Campaign to Stop Killer Robots is a group of non-governmental organizations who seek to pre-emptively ban lethal autonomous weapons. First launched in April 2013, member organisations joining the Campaign to Stop Killer Robots have urged governments and the United Nations to issue policy to outlaw the development of "lethal autonomous weapons systems" (LAWS). In July 2015, over 1,000 experts in artificial intelligence signed a letter warning of the threat of an arms race in military artificial intelligence and calling for a ban on autonomous weapons. The letter was presented in Buenos Aires at the 24th International Joint Conference on Artificial Intelligence (IJCAI-15) and was co-signed by Stephen Hawking, Elon Musk, Steve Wozniak, Noam Chomsky, Skype co-founder Jaan Tallinn and Google DeepMind co-founder Demis Hassabis, among others.

Data protection laws

Being fully aware of the fact that the right to privacy is not enough to protect the potential misuse of the personal data online, nor to eliminate threats posed by cybercrime or large-scale surveillance operations, governments decided to implement data protection laws (known also as information privacy laws).



This map compares a data protection laws around the world. A large number of countries have their own laws, regulations and enforcements referring to the protection of personal data. In addition, there are laws concerning this problem valid for all the member states of the European Union.

Questions that might help you with your resolutions

1. How to elevate knowledge, awareness, and discussion of the human rights impacts of automation and mechanisation across the business and human rights community and other civil society actors?
2. What practical measures can member states have to ensure that the private rights of their citizens are protected whilst considering growing security concerns?
3. How can governments protect their civilians without violating their privacy online?
4. Should international law and human rights adapt to new technology?
5. What can companies do to prevent unintended human rights consequences from their use of big data?
6. Do killer robots pose a threat to human rights? Should they be banned?
7. Is national security so important that it is worth this limitation of liberty and privacy?
8. Should citizens be prepared to give up some privacy in return for greater security?
9. Has the government already gone too far in invading our personal freedoms?
10. How can the governments compensate people for job losses caused by automation and mechanization?

Relevant Documents

- Robots and Industrialisation in Developing Countries
http://unctad.org/en/PublicationsLibrary/presspb2016d6_en.pdf
- Luke Kingma, "Universal Basic Income: The Answer to Automation?" <https://futurism.com/images/universal-basic-income-answer-automation/>
- The right to privacy in digital age
<http://undocs.org/A/RES/68/167>
- The General Data Protection Regulation (GDPR)

The European Union's [Regulation \(EU\) 2016/679](#) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data. The regulation is an essential step to strengthen citizens' fundamental rights in the digital age and facilitate business by simplifying rules for companies in the digital single market. A single law will also do away with the current fragmentation and costly administrative burdens. The regulation came into force on 24 May 2016 and will apply from 25 May 2018.

Useful Links

- Campaign to stop killer-robots <https://www.stopkillerrobots.org>
- Killer Robots and the Concept of Meaningful Human Control <https://www.hrw.org/news/2016/04/11/killer-robots-and-concept-meaningful-human-control>
- Dilemmas of the Internet age: privacy vs. security <https://edition.cnn.com/2015/02/04/politics/deena-zaru-internet-privacy-security-al-franken/index.html>
- Russia on Freedom of Speech <https://www.youtube.com/watch?v=nrbHXmy9Wj4>
- Human Rights and Technology": Mapping the Landscape to Support Grantmaking <https://www.fordfoundation.org/media/2541/prima-hr-tech-report.pdf>

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