International protection of the right to digital privacy

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Abstract:

The right to privacy is one of the most important human rights. It has received a great deal of attention, both nationally and internationally, especially in the modern digital age, which has witnessed great development in the use of information, communication and digitisation technologies, whereby the correspondence and movements of individuals, and their personal data exchanged through the media, have become crucial. The digital system is subject to monitoring by government agencies based on national security considerations and in an attempt to combat internal or cross-border crimes or terrorist offences using electronic programmes designated for this purpose. This must be based on a non-arbitrary law issued by the competent authority, and interference is permissible where there is no discrimination.

Key words: *Privacy; Digital era; Personal data; Crime; Discrimination.*

Introduction:

It is now undisputed that privacy is one of the fundamental constitutional rights of the natural person as a general principle, that it is the foundation of the structure of any healthy society, and that it is considered a right that predates the existence of the State itself.

The main reason for studying this topic is the great technological transformation that has affected all areas of life, which has led to violations of individuals' privacy. The protection of digital privacy has become one of the most important priorities of the various pieces of legislation and laws, which protect various kinds of personal data and information.

The importance of this theme lies in the fact that it is one of the most important human rights topics, because it is closely related to the issue of the individual's life in society and personal freedom. The transition from the right to private life has had several repercussions on the freedom of individuals and has been accompanied by several risks and challenges that hinder its reduction.

Accordingly, we formulate the following question:

What is the right to digital privacy, and how have various international laws and pieces of legislation been able to protect this right from violations in the digital age?

To answer this question, we used a descriptive and analytical approach to study the right to privacy through modern technical media, outlining its concept and the various aspects of international protection devoted to it.

The First Topic

The Concept of the Right to Digital Privacy

The right to privacy means the right of a person to keep the details of his or her private life safe without being forced to share any of it with others, except what is authorised. However, modern technologies have prevented this, as privacy has become vulnerable to attacks, so it has become necessary to protect this right and to increase interest in it, owing to the threats to which it is exposed as a result of technological development.

Therefore, through this paper, we will try to identify the concept of digital privacy by defining the right to digital privacy, its historical development and its violations.

First requirement: Definition of the right to digital privacy and its legal basis

In this requirement, we will look at the definition of the right to digital privacy in the first section, and then address the legal basis for this right in the second section.

First section: Definition of the right to digital privacy

Linguistically: Privacy is derived from privacy, which is the opposite of generality.

Idiomatically: Opinions differ on this matter.

- The jurist Roger Nerson believes that the right to privacy means that a person should endeavour not to give his personality and freedom to others but to keep them to himself unless he agrees otherwise.

- According to Carbonnier, the right to private life is the right to a life free from interference by others and the right to live one's life in peace and tranquillity.

- Saint Martin based his definition of private life on the idea of secrecy, i.e., the right to live one's life in seclusion or anonymity, which is almost the same as the definition given by the jurist Roberson, who said that it is a human right to live away from publicity.

Through these definitions, we find that it is difficult to establish a comprehensive definition of the right to privacy, owing to the totality of customs, traditions and religious beliefs prevailing in each country. However, there are key elements on which opinions agree in defining the right to privacy:

The first one: Secrecy and isolation from society

The second one: A person's authority to decide whether or not to allow access to information relating to his or her privacy. (Souadiquia, 2012, pp. 85-86)

Alan Westin is among the jurists who addressed the definition of the right to digital privacy in 1967, describing it as information privacy and defining it as the right of individuals to determine the possibility and extent of others' access to their information through information media; in this definition he was supported by the jurist Miller. (Mebarkia, 2018, p. 461)

Digital privacy is defined as the protection of an individual's personal data from attack and violation through digital media, such as information about work and housing, email, bank accounts and personal photos, which we often use in our online transactions. (Balasal Bint Nabi & Muqadder, 2021, pp. 06-07)

Second section: The legal basis for the right to digital privacy

The legal basis means the basis on which the right to privacy rests, which is reflected in Article 8 of the European Convention on Human Rights of 1950 (The European Convention on Human Rights, 1950). The article stipulates that everyone is entitled to respect for his or her private life, in such a way that the public authority cannot interfere in the exercise of this right except in accordance with public law or morality.

What must be emphasised is that the protection of this private life is not absolute, as the second paragraph of Article 8 stipulates restrictions that limit the legitimacy of the public authorities' intervention in protecting this right:

The first restriction: Intervention must be necessary.

The second restriction: The purpose of the intervention must be the protection of public security, public order, public morality or the freedoms and rights of others. (Fadhli, 2019, pp. 257-258)

The middle and end of the twentieth century and the beginning of the twenty-first century were marked by a revolution in the field of human rights. Many conventions were adopted, a large number of resolutions and declarations were issued, and conferences were held on the promotion and development of the protection of human rights.

In this regard, we must acknowledge that the United Nations has taken the lead in addressing aspects related to digital rights and has adopted, in more than one document, a firm principle requiring the securing of freedom of the Internet and communication, and working towards the recognition of digital rights by States and the

transformation of that recognition into a real course of action through the many resolutions subsequently issued on the promotion of human rights. (Nimat Ibrahim Al-Saadi, 2019, pp. 355-356)

Second requirement: The historical development of the right to digital privacy

The rapid advancement of information and communication technologies has transformed the way individuals communicate, work, access services, and share information. While these developments have created unprecedented opportunities for social and economic progress, they have also raised significant concerns regarding the protection of personal information and individual autonomy in the digital environment. As digital technologies increasingly permeate every aspect of daily life, the right to privacy has evolved from a traditional legal concept into a fundamental digital right that requires continuous protection and adaptation.

The right to digital privacy emerged as a response to the growing collection, processing, storage, and dissemination of personal data through electronic means. Its development reflects the broader evolution of human rights in the face of technological change, beginning with the recognition of privacy as a fundamental right in international human rights instruments and progressing toward specialised legal frameworks designed to address the unique challenges posed by the digital age. The expansion of the Internet, social media platforms, cloud computing, artificial intelligence, and big data analytics has further emphasised the need for robust safeguards to protect individuals against unauthorised surveillance, data misuse, identity theft, and other forms of digital

Understanding the historical development of the right to digital privacy is essential for appreciating the legal, social, and technological factors that have shaped contemporary privacy protections. This requirement examines the evolution of privacy rights from their traditional foundations to their modern digital dimensions, highlighting the major legal milestones, international instruments, and regulatory developments that have contributed to the recognition and protection of digital privacy as a fundamental human right in the twenty-first century.

Whoever traces history will find that the right to privacy did not emerge until the beginning of the fourth century AD, because before that time societies did not show any interest in protecting the privacy of the individual, or in what later became known as the right to privacy. On the contrary, some of these societies saw privacy as a reflection of the individual's negative practices; that is, circumstances in which a person is left alone reflected his stupidity, which is explained by the beliefs prevailing at the time, namely that the person had chosen to retreat to his private world to escape from society. (Salmoudi, Rabayaa, Al-Razi, & Brahma, 2017, p. 06)

The right to privacy is also mentioned in the oldest of the divine books, the Torah. The Book of Genesis states that after Adam and Eve ate of the fruit, their eyes

were opened and they learnt that they were naked, so they sewed fig leaves and made aprons for themselves.

This right is also mentioned in the Qur'an: 'And do not spy or slander one another'. (Surat Al-Hujurat, verse 12)

Since a person's home is the incubator of his private life, the Almighty says: 'O you who believe, do not enter houses other than your own until you ask permission and greet the occupants; it is better for you that you may remember, and if you do not find anyone in them, do not enter them until you receive permission, and if you are told to go back, go back, for it is wiser for you and God is aware of what you do'. (Surat An-Nur, verses 27, 28)

As for legislation, Western countries recognised the protection of privacy hundreds of years ago. In 1361, a law was enacted in Britain that prohibited voyeurism and made it punishable by imprisonment, and in 1965, the British Lord Camden issued a decision that a house may not be searched and papers seized in it. (Souadiquia, 2012, p. 84)

After this date, many countries developed the protection of this right. In 1776, the Swedish Parliament enacted the Access to Public Records Act, which obliged all government agencies that held information to use it for legitimate purposes.

In 1858, France prohibited the publication of facts by imposing penalties, while the Norwegian Penal Code (The Norwegian Penal Code, 1989) of 1989 prohibited the publication of information relating to personality and private status.

One year later, two American lawyers, Samuel Warren and Louis Brandeis, wrote an article on the protection of privacy, in which they specifically addressed the issue of violations of personal secrets by the publishing media, chastising the press by saying: 'Brandeis and Warren's ideas sparked widespread debate in both scholarly and judicial circles, and most jurists agree that this article was a major cause of the first serious discussion of privacy in American legal circles'. (Souadiquia, 2012, p. 84)

In modern times, the concept of the right to privacy appeared in the Universal Declaration of Human Rights in 1948 (The Universal Declaration of Human Rights, 1948), which guaranteed the protection of places and communications, and many high-level human rights conventions have recognised this right, such as the International Covenant on Civil and Political Rights and the United Nations Convention, among others.

At the regional level, many conventions have recognised the right to privacy, such as the European Convention for the Protection of Human Rights and Fundamental Freedoms (The European Convention for the Protection of Human Rights and Fundamental Freedoms, 1950), in addition to other regional conventions that clearly stipulate the protection of privacy, such as Article 11 of the American Convention on Human Rights (The American Convention on Human Rights, 1969), the text of which is almost identical to that of the Universal Declaration of Human Rights.

In 1965, the United States adopted the American Declaration of Rights and Duties (The American Declaration of Rights and Duties, 1965), which includes a set of rights, including the right to privacy. (Souadiquia, 2012, p. 84)

Third requirement: Types of violations of the right to digital privacy

The violation of privacy means access by others to a person's privacy without his or her consent or knowledge, and this violation takes many forms:

- Unlawful disclosure of personal data:

It is one of the most important forms of privacy violation for some professions that emphasise confidentiality in keeping data related to their clients and customers, such as lawyers, doctors and bank employees, among others, in order to avoid undermining the trust between the parties concerned.

Some of the most vulnerable data are those related to electronic banking transactions, as evidenced by the case of the Swiss bank Gazelleschaft, in which French agents of the Superintendence of Commercial and Financial Transactions attempted to decipher and open the personal accounts of French citizens in order to assist in investigating and prosecuting tax evasion.

- Surveillance:

It means tracking and recording a person's communications without his or her permission or knowledge, and tracking and digitally recording his or her movements through the Internet and communications media, which allows access to, and disclosure of, his or her private secrets without any justification or order from a competent judicial or administrative authority.

- Hacking:

It means aggression against the right to privacy by destroying computers and devices used for communication, or for storing or retrieving information, or by editing or changing its content without authorisation.

- Cyber espionage:

It means tracking and monitoring an individual's performance and activities in daily-life interactions. Cyber espionage in the field of personal conversations is defined as the process of eavesdropping on or capturing data between two devices via the Internet, or by using any technical means to convert the electromagnetic radiation emitted by a computer into data.

It is important to note that cyber espionage carried out by the State outside the law is considered a method of violating individual rights that is prohibited internationally and locally, if it is proven that it was carried out without prior authorisation from the court, which falls within the scope of the abuse of the State's right to infringe on the rights of individuals under the cover of national security or public safety. (Balasal Bint Nabi & Muqadder, 2021, pp. 07-08)

The use of virus programmes, such as worms, Trojan horses and logic bombs, or of other technological means, such as cookies and other programmes, may lead to violations of the private lives of others.

One of the dangers of the Internet is the ability of hackers to infiltrate, gain unauthorised access to, or remain in private communication systems illegally and to collect private information about others through smart software sent via email or in the form of fake links that can spy on users or even commit other crimes, such as fraud and information theft. (Ben Qara Mustafa, 2016, p. 42)

We conclude that the right to privacy, or the right to a private life, is one of the most personal rights and one of those closest to dignity, because it combines the material and moral aspects of the human personality and has a close relationship with other rights and freedoms. The right to privacy includes the inviolability of the home, the confidentiality of private communications and the protection of information and data of a personal nature; it is also extremely vulnerable to the risks posed by the scientific and technological development of information and communication means. We also conclude that the right to privacy is a fundamental human right provided for in many international and national laws. With the advent of digital technologies, the right to privacy has become increasingly complex and difficult to protect in its entirety, but efforts must be made to do so.

The Second Topic

International Rules Protecting the Right to Digital Privacy

The ever-increasing use of high-tech means of collecting and processing personal data, whether by the State or by the private sector, has changed the subject of the protected interest, as the transition has begun from the protection of private life to the protection of personal data, which is the intangible part of private life.

In this climate, international, regional and national efforts have combined to develop a legal framework to protect individual rights and privacy from the impact of information technology.

First requirement: International protection of the right to digital privacy through international conventions

International conventions pay great attention to the right to privacy through several clauses that stipulate how to protect this right, and in this requirement, we will outline the agreements concluded in this framework at the global level and then at the regional level.

First section: Universal Conventions

It is represented by the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the efforts of the United Nations Organisation through its organs and specialised organisations.

First paragraph: The Universal Declaration of Human Rights 1948

The Universal Declaration of Human Rights is considered to be the first fundamental international instrument affirming respect for human rights. Adopted by a resolution of the General Assembly on 10 December 1948, it sets out a number of principles requiring respect for fundamental human rights and aims to preserve and maintain the value of the human person, which is acquired irrespective of other factors such as sex, race, language, creed or religion.

Article 1 states that 'All human beings are born free and equal in dignity and rights.' Article 2 states that everyone is entitled to enjoy all the rights and freedoms set forth in the Declaration, and Article 3 emphasises the right of everyone to life, liberty and security of person. (Qahmous, 2021, p. 468)

Article 12 states that 'No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to campaigns against his honour and reputation, and everyone has the right to be protected by law against such interference or campaigns.'

It should be noted that the United Nations tried very hard to give the Declaration a binding character, but most countries tended to believe that the Declaration had only moral value and was therefore not legally binding on them, like all the recommendations of the General Assembly. (Khawil, 2017, p. 114)

Second paragraph: International Covenant on Civil and Political Rights 1966

This Covenant is considered to be the first universal codification of these rights. It entered into force on 15 July 1967 and includes a series of principles related to human rights; Article 17 states that no one may arbitrarily or unlawfully interfere in another person's private affairs relating to his family, his home or his correspondence, nor may he unlawfully interfere in any matter affecting his honour and reputation, under penalty of legal prosecution, and that no one may be subjected to unlawful interference in any matter prejudicial to his honour and reputation. (The International Covenant on Civil and Political Rights, 1966)

Through this explicit provision, the Covenant has emphasised the guarantee of both public freedoms and the protection of the right to privacy. (Khawil, 2017, p. 115)

Third paragraph: Efforts of the United Nations Organisation to protect the right to privacy

I: The role of the United Nations General Assembly

The United Nations General Assembly has paid attention to this issue and adopted many resolutions, declarations and recommendations, including Resolution A/RES/68/167 of 18 December 2013, entitled 'The right to privacy in the digital age', which affirmed that the right to privacy is an inalienable human right that must be protected like the other rights of human beings.

It also emphasised respect for and protection of this right in its digital context, at a time when the Internet is recognised as universal and open, and ICTs as a driving force for development in all areas.

This resolution was drafted by Germany and Brazil, and joins several other texts adopted by the General Assembly's Third Committee (Economic, Humanitarian and Cultural) on a range of issues related to social development, human rights and crime prevention.

The resolution states that States and Governments must ensure full respect for and implementation of their obligations under international human rights law, and calls for the establishment of an effective and independent national system of transparency, oversight, accountability, private data collection and communications interception.

The resolution also requests the Office of the United Nations High Commissioner for Human Rights to submit a report on the protection and promotion of the right to privacy in the context of domestic and extraterritorial surveillance. (Dahya & Ben Belkacem, 2017, p. 500)

The UN General Assembly also adopted a resolution on the protection of the right to privacy in the digital age (No. 71/199 of 19 December 2016), which emphasises the need to respect the concerted efforts of States, in particular with regard to the collection and protection of certain sensitive data for reasons related to the maintenance of public order.

In addition to the series of General Assembly resolutions, a resolution on the protection of the right to privacy in the digital age, No. 73/179 of 17 December 2018, also emphasised the danger that digital communications pose to the private life of individuals, especially vulnerable groups such as children and women, so appropriate technological solutions must be adopted to ensure the confidentiality of communications, such as encryption, anonymity and pseudonymity.

This was followed by Resolution No. 75/176 of 16 December 2020 on the protection of the right to privacy in the digital age, which included a reminder of the previous resolutions and of the need to exercise the necessary care and to take measures and procedures to prevent the violation of this right, as well as the harmonisation of national legislation by States in accordance with their international obligations under international human rights law. (Hamel, 2021, pp. 42-43)

II: The role of the Human Rights Council

In its resolution A/HRC/RES/32/13 of 1 July 2016, entitled 'Promotion, protection and enjoyment of human rights on the Internet', the Council, which replaced the Commission on Human Rights (which concluded its work in March 2006), and in the context of its contributions to the protection of the right to privacy online, reiterated in its eighth paragraph the call on States to address online security concerns in accordance with their international human rights obligations, in order to ensure freedom of expression, freedom of association, the right to privacy and other human rights online, including through transparent national and democratic institutions, on the basis of the rule of law and in a manner that ensures freedom and security online.

On 26 March 2015, the Council unanimously approved the appointment of a new UN Special Rapporteur on the right to privacy, taking a significant step forward in the broader recognition of efforts to protect digital privacy, with the Special Rapporteur undertaking the following tasks:

- Ensuring that national laws and legislation related to the right to privacy are harmonised and consistent with international human rights law.

- Studying and reviewing government schemes that seek to collect private data and intercept digital communications.

- Striving for the rule of law in achieving global surveillance by respecting human rights and adhering to UN guidelines.

- Supporting the development of international standards that address more effectively the interplay between privacy and other human rights in the digital context, such as freedom of expression.

- Focusing on factors that facilitate broader oversight, including diverse practices and levels of transparency regarding the data held by companies.

These practices often have a direct impact on what governments can collect and monitor, and experts are working with the UN to protect the freedoms of peaceful assembly, expression and association, and with human rights defenders to identify threats to rights in the context of indiscriminate mass surveillance, leading to more effective and comprehensive privacy policies. (Dahya & Ben Belkacem, 2017, p. 503)

III: The role of the United Nations Educational, Scientific and Cultural Organisation (UNESCO)

UNESCO plays a prominent role in this field by issuing a bulletin on online privacy and freedom of expression, in addition to conducting a detailed study on Internet issues.

UNESCO is also responsible for analysing the legal and regulatory structure of the Internet and proposing radical solutions and alternatives to Member States in order to foster an environment conducive to the exercise of freedom of expression on the Internet.

UNESCO has hosted a series of workshops during the WSIS Forum and Internet Governance Forum sessions held since 2006 to promote discussion on the issues of freedom of expression and privacy protection.

UNESCO also published a landmark report on freedom of expression on the Internet: 'Freedom of Communication - Freedom of Expression: Changing Legal and Regulatory Environments Reshaping the Internet'. (Dahya & Ben Belkacem, 2017, p. 505)

Second section: Regional Conventions

In this section, we address international regional efforts related to human rights, namely the European Convention for the Protection of Human Rights, the African Charter on Human and Peoples' Rights, the American Convention on Human Rights and the role of the Budapest Convention on Cybercrime of 2001 in protecting human rights in general and the right to information privacy in particular.

First paragraph: The African Charter on Human and Peoples' Rights 1981

Although the Charter does not explicitly stipulate the right to privacy, as it does many other rights, such as the right to nationality, there are some texts that suggest a reference to this right, such as the text of Article 4 of the Charter: 'Human beings are inviolable and have the right to respect for their life and the physical and moral integrity of their person and may not be arbitrarily deprived of this right'. (The African Charter on Human and Peoples' Rights, 1981)

The Charter established a monitoring mechanism, the African Commission on Human and Peoples' Rights, and a judicial body, the African Court on Human and Peoples' Rights, to implement and enforce the provisions of the Charter. (Hamel, 2021, p. 45)

The Commission is responsible to the African community for promoting and protecting rights and freedoms, conducting studies, collecting documents and formulating principles aimed at resolving issues related to human and peoples' rights, while the Court is competent to consider violations of human rights by States Parties. Its decisions are final and binding, as States Parties are obliged to implement them, and the Council of Ministers of the African Union follows up on their implementation. (Hamel, 2021, pp. 43-44)

Second paragraph: The American Convention on Human Rights 1969

The Convention derives many of its provisions from the American Declaration of the Rights and Duties of Man, as well as from the Universal Declaration of Human Rights and the two International Covenants on Human Rights of 1966. The rights recognised by the Convention are largely similar to those contained in the European Convention on Human Rights, but it also recognises a number of rights that are not mentioned in the European Convention. (Muhammad Yusuf & Moussa, 2009, p. 119)

Third paragraph: European Convention for the Protection of Human Rights 1950

The European system for the protection of human rights emphasises respect for human rights and fundamental freedoms and is thus one of the most advanced traditional systems in this field. Its importance lies in the fact that it not only emphasises these rights but also seeks to achieve effective control over their observance.

European interest in privacy protection escalated in the mid-1970s, and efforts were made to establish rules on privacy protection in 1976, including the issuance of several directives on the protection of individuals against automated data-evaluation activities and the challenges posed by technological advances in data processing.

A comprehensive approach to the protection of personal data has also been introduced, including the 1995 Directive of the European Parliament and of the Council of Europe on the protection of individuals, and the 1997 Directive on the protection of telecommunications data, which focuses on the adoption of special behaviours and regulations in the context of international communications.

Fourth paragraph: Budapest Convention against Electronic Crime 2001

The agreement included all aspects of cybercrimes, whether those targeting information and networks or traditional crimes committed using digital networks.

It also addressed procedures related to search, inspection and seizure, in addition to procedures for international cooperation and judicial cooperation to combat crime. (Budapest Convention against Electronic Crime, 2001)

The Convention includes 48 articles divided into four chapters that provide a framework for determining the objective rules for cybercrimes, calling on the international community to:

- Adapt national legislation related to the definition of cybercrimes and the Internet to international legislation.

- Introduce the means of investigation and judicial follow-up, and update them in a way that is compatible with the development of networks.

- Establish and intensify systems of international cooperation characterised by speed and effectiveness. (Menasra, 2018, p. 298)

Second requirement: International protection of the right to digital privacy through international conferences

The importance of the right to private life was demonstrated through international conferences organised specifically to confront the challenges resulting from scientific and technological development. It was necessary to benefit from these developments in a way that maintained the balance between the individual's right to privacy and the protection of the general interest of society.

Among these conferences are:

1- Stockholm Conference 1967:

It addressed several main points:

- Setting specific definitions and controls for the right to privacy.

- Emphasising the need to maintain the confidentiality of messages and communications, and the right of individuals to resort to civil justice to be compensated for the damage they have suffered.

- Considering information, recordings and images obtained illegally to have no legal value.

2- Tehran Conference 1968:

One of the prominent decisions taken at this conference is Resolution Eleven (11), which stressed the importance of protecting the human right to privacy, especially in light of progress in recording techniques and methods. It also called for a balance between scientific and technological progress, on the one hand, and the intellectual and cultural advancement of humanity, on the other.

3- Montreal Conference 1968:

This conference was held in Canada, where the negative effects of technological progress on the private lives of individuals were discussed. It produced a set of recommendations, most notably on combating risks that threaten privacy, such as electronic devices and audio-visual media, and on compensating for the damage resulting from them.

4- UNESCO Experts Conference 1970:

It was held in Paris in 1970 to study issues related to the protection of the right to private life, especially in light of the conflict between the individual's interest and the public interest. The participants agreed on the need to expand the scope of the necessary protection of the right to privacy, while establishing controls that ensure the achievement of the public interest and the preservation of human dignity. (Ben Haida, 2017, p. 91)

5- Brussels Conference 1970:

Held in the Belgian capital, Brussels, it addressed the right to privacy and the impact of the European Convention on it. Discussions focused on the right to one's image, eavesdropping on telephone conversations and the confidentiality of information.

6- Madrid Conference 1984:

The United Nations, the Council of Europe and the International Criminal Police participated in this conference, where the relationship between police work and respect for the right to privacy was highlighted.

It also emphasised the risks resulting from the use of modern methods of monitoring individuals, and stressed the necessity of using these methods in a limited manner and by legitimate means, in order to avoid violating privacy. (Ben Haida, 2017, p. 94)

Conclusion:

It is clear from what has been mentioned that the right to privacy is one of the most prominent human rights and requires concerted efforts at the national and international levels to protect it. On the other hand, the technological revolution, despite the tremendous development it has provided in various areas of life, has negatively affected some rights, especially the right to privacy, which has become vulnerable to hacking.

Accordingly, some results have been obtained:

- The right to privacy faces major challenges in light of technological development, despite the numerous texts contained in international agreements and covenants. Among these challenges is the clear absence of binding legal rules in this area.

- The protection that has been addressed remains insufficient. It requires stronger protection in light of modern risks arising from the entry of modern societies into the information age, the spread of electronic minds and the Internet, and the rapid development of various media, which makes it necessary to think about reformulating many paragraphs of the International Bill of Human Rights that did not address the new concepts established by these developments.

- The development witnessed by the world has made the issue of privacy a subject with international dimensions that transcend the internal borders of countries, which makes it impossible to rely on national legislation alone to protect the right to privacy.

Therefore, there must be agreed international legislation to confront the dangers surrounding private life, as long as the goal is one and the same, namely to respect human rights and preserve their dignity.

Based on these results, we suggest a set of recommendations:

- Creating international legal rules aimed at protecting the right to privacy over the Internet and tightening the penalties for violating it.

- Raising awareness among individuals of the negative consequences that may affect their privacy when it is published over the Internet.

- Establishing a committee at the level of the United Nations charged with coordination and information exchange between countries in the field of developing the protection of this right.

- The need for the United Nations to seek to conclude agreements and encourage countries to ratify them and include them in their internal laws.

- The need to provide full constitutional protection for privacy and freedom of expression, and the State's positive commitment to provide protection against any interference with these rights.

References:

1. *Koran*
2. *The Norwegian Penal Code.*
3. *The Universal Declaration of Human Rights 1948.*
4. *The European Convention for the Protection of Human Rights and Fundamental Freedoms (Rome, 1950).*
5. *The American Convention on Human Rights.*
6. *The American Declaration of Rights and Duties 1965*
7. *The International Covenant on Civil and Political Rights 1966.*
8. *The African Charter on Human and Peoples' Rights 1981.*
9. *Budapest Convention against Electronic Crime 2001*
10. *Muhammad Yusuf Alwan, Muhammad Khalil Moussa: International Human Rights Law - Sources and Means of Control - Part 01, Dar Al Thaqafa, First Edition, Amman, Jordan, 2009.*
11. *Menasra Youssef: Crimes of tampering with automated data processing systems (their nature, forms, international efforts to combat them - a comparative study), Dar Al-Khaldouniya Publishing House, Al-Quba, Algeria, 2018.*
12. *Ben Haida Muhammad: Protection of the Right to Privacy in Algerian Legislation - A thesis submitted for a PhD in Law, Abu Bakr Belkaid University, Tlemcen, 2017.*
13. *Souadqiya Hani: Protecting the Right to Privacy, Journal of Legal and Political Research and Studies, Issue 03.*
14. *Moufida Mebarkia: Criminal Protection of the Right to Digital Privacy in Algerian Law, Sharia and Economics Journal, Volume 07, Issue 01, No. 13, June 2018.*
15. *Balasal Bint Nabi Yasmine, Muqadder Nabil: The Right to Digital Privacy, Al-Mustaqbal Journal of Legal and Political Studies, Volume 05, Issue 01, 2021.*
16. *Fadhli Sid ali : the effect of technological development on the protection of the right to privacy in the European system for the protection of human rights, Al-Ustadh Al-Baheth Journal for Legal and Political Studies, Volume 04, Issue 02, 2019.*
17. *Wissam Nimat Ibrahim Al-Saadi: Digital rights and international protection mechanisms established for them within the framework of international human rights law, Fourth Conference on International Legal Issues, College of Law, University of Mosul, 2019.*
18. *Rizk Salmoudi, Linda Rabayaa, Hadeel Al-Razi, Issam Brahma: The Contemporary Position of the Rules of Public International Law on the Right to Privacy in the Digital Age, Arab American University Journal of Research, Volume 03, Issue 02, 2017.*

19. *Ben Qara Mustafa Aicha: The Right to Information Privacy between the Challenges of Technology and the Reality of Legal Protection, Arab Journal of Science and Research Publishing, Volume 02, Issue 05, June 2016.*
20. *Nawal Qahmous: International Protection of the Right to Privacy within Modern Technological Developments, Arab Journal of Research and Studies in Humanities and Social Sciences, Volume 13, Issue 04, Year 13, 2021.*
21. *Khawil Belkhair: International and regional protection of the right to privacy, Journal of Legal and Social Sciences, Issue 07.*
22. *Dahya Abdel Latif, Ben Belkacem Ahmed: The new role of the United Nations in protecting the right to privacy in the digital age, Al-Ustadh Al-Baheth Journal for Legal and Political Studies, Volume 02, Issue 08, December 2017.*
23. *Hamel Houari: The limits of international legal protection of the right to privacy, Algerian Public and Comparative Law Journal, Volume 07, Issue 02, November 2021.*