

## AMNESTY INTERNATIONAL JOINT OPEN LETTER

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# IRELAND: LGBTQ+ GROUPS CALL FOR REFORM OF DATA PROTECTION COMMISSION

*Dozens of LGBTQ+ and human rights groups have written to Irish Taoiseach Leo Varadkar asking him to stop enabling hate and reform the Irish Data Protection Commission. Here's the letter:*

Dear Taoiseach,

As LGBTQ+ people, organisations and allies across the world, we know the vital importance of social media for forging connection and finding community. But we also see first-hand the damage inflicted by the business model of the Big Tech companies – whose algorithms are primed to amplify the worst of humanity and cause deep harm to marginalised groups.

Research suggests 78% of our community in Europe faced anti-LGBTQ+ hate crime or hate speech online in the 5 years to 2020, and that we are disproportionately affected by digital privacy violations. Just this month, Facebook, TikTok and YouTube all approved ads for publication containing extreme and violent anti-LGBTQ+ content, in a test carried out by campaign group Global Witness.

Such findings equate to real-world suffering: marginalised people viciously trolled, gay teens targeted with conversion therapy ads, harassment of Pride participants live-streamed on YouTube. And underpinning this proliferation of hate is the business model of the Big Tech companies, which mines vast amounts of our personal data to maximise “engagement” and enables deeply invasive profiling and targeting.

As an open, inclusive country committed to the protection of human rights, Ireland should be leading the charge against the corporate culture and incentives that facilitate harmful exploitation of our data. But rather than act against hate, Ireland is enabling it – neglecting enforcement of European data protection law and prioritising its relationship with Silicon Valley over the safety and dignity of millions.

This is all too obvious from the Irish Data Protection Commission’s (DPC) disappointing enforcement record. The DPC is the lead data protection regulator, with unique responsibility for holding the world’s biggest – Dublin-based – tech platforms to account. But privacy advocates, legislators, regulators and citizens across Europe and the world are starting to see the stark truth that Ireland would rather protect Silicon Valley profits than fundamental human rights.

That is why we, LGBTQ+ people, organisations and allies across the world, are calling on you to change course. We ask you to stand up for citizens everywhere, be true to Irish values and ensure big tech platforms respect our rights. These actions will be popular with your own citizens. According to a Yonder poll from last year, only 18% of Irish citizens think these companies are trustworthy, while 58% hold your government responsible for protecting them against the harm they cause.

The first step in fulfilling this responsibility must be urgent reform of the DPC. Only the DPC has the power to ensure Europe’s General Data Protection Regulation (GDPR) is working as intended when it comes to the world’s most powerful platforms. But so far it has dragged its feet on enforcement and allowed Big Tech to keep trampling on people’s rights.

In the first 3.5 years of GDPR, Ireland issued just four draft decisions – 10 times fewer than Spain, for example, despite its larger budget. The European Data Protection Board recently had to step in to overrule DPC decisions that allowed Meta to illegally force users to accept targeted ads. (And even now, the DPC is seeking a court order to block an EU demand that it investigate Meta’s use of data about our sexual orientations and other intimate aspects of our lives). This is not the first time the EDPB has been forced to intervene because Ireland is failing to protect people’s basic data rights, a record sharply at odds with the country’s professed commitment to human rights globally.

In the coming months, your government has a unique opportunity to change course when it appoints two new Commissioners to the DPC. This is a welcome step, but only if it leads to meaningful change. We therefore urge you to ensure that only candidates with the expertise and integrity to hold Big Tech to account are considered for the job. It is

also essential that the Irish government commission an entirely independent review of how to strengthen and reform the DPC, to make it fit for purpose, and that the new commissioners appointed are given a mandate to implement these changes.

For LGBTQ+ people across the world, social media is a vital space for expression, community and connection with the capability to transform - even save - lives. But its positive role is being significantly undermined by a surveillance-based business model fine-tuned for spreading hate, and the failure of regulators to bring it into line. Ireland has a powerful opportunity to change that by reforming the DPC. We urge you to seize it.

Yours sincerely,

All Out

Alliance4Europe

AI Forensics

Amnesty International

Centre for Peace Studies, Croatia

Coalition For Women In Journalism (CFWIJ)

Defend Democracy

Digital Action

Ekō

Fair Vote UK

Far Right Observatory Ireland

Global Witness

ILGA-Europe

Irish Network Against Racism (INAR)

Irish Council for Civil Liberties

Institute for Strategic Dialogue (ISD)

LGBT Ireland

'NEVER AGAIN' Association

Outhouse LGBTQ+ Centre - Ireland

Transgender Europe (TGEU)

Transgender Equality Network Ireland (TENI)

Transvanilla Transgender Association - Hungary

Panoptikon Foundation

Peter Tatchell Foundation

Rouge Direct

STOP homophobia (stophomophobia.org)

Uplift Ireland

Zagreb Pride

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