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國家安全與人權：史諾頓事件的省思†

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摘要

一般同意，政府為了國家安全，有時必須侵犯人民的隱私。然而，在史諾頓事件於2013年發生後，大家發現政府可以透過科技的進步輕易取得人民的通訊，焦點變成如何改善各國的通訊法規，強化對於行政部門監聽的司法授權或是立法監督，保障個人的隱私權。我們先將從人權的隱憂著手，接著分別從美國、歐盟及國際人權公約考察通訊隱私權的保護機制，再做簡單的結論。

關鍵詞：人權、史諾頓事件、國家安全、通訊隱私權

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National Security and Human Rights: Some Reflections on the Event of Edward Snowden

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Abstract

It is generally agreed the government, in order to protect national security, may sometimes have to infringe on privacy of citizens. In the aftermath of the event of Edward Snowden in 2013, it is disclosed that the government may easily acquire mass information from citizens' communications through advanced surveillance technologies. Recent focuses gave been on how judicial authorization or legislative oversight may enhance the protection of individual rights to privacy by restraining administrative surveillance. In this article, we shall look into how the United States, the European Union, and international human rights conventions have developed mechanisms to protect rights to privacy of communications and correspondence.

Keywords: human rights, Event of Edward Snowden, national security, rights to privacy of communications and correspondence

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