

**INTERNATIONAL SCIENTIFIC CONFERENCE
“THE RIGHT TO PRIVACY IN THE DIGITAL AGE – IN
SPECIFIC TERMS”,
MISKOLC, 1 DECEMBER 2022**

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The University of Miskolc – Central European Academy in partnership with the Ferenc Mádl Institute of Comparative Law, Central-European Association for Comparative Law, Hungarian Association for Comparative Law, Slovak Association for Comparative Law, Scientific Association for Comparative Law Poland, Association for the Advancement of Comparative Law Researches in Serbia, Romanian Association for Comparative Law and the University of Opole on the 1st of December had organized an International Scientific Conference under the title “The Right to Privacy in the Digital Age – in specific terms”. The conference was held in the majestic building of the Hungarian Academy of Sciences, which additionally increased the solemnity of the event.

The aim of the conference was to present the results of the Central European Professorial Network’s “Right to Privacy” research group through analytical and summary presentations by participating professors and to raise awareness about privacy issues. The research project, “Central European Professorial Network 2022”, involved experts in comparative law from seven Central European countries: the Czech Republic, Croatia, Poland, Hungary, Serbia, Slovakia, and Slovenia.

The opening of the conference and welcome speech of Tímea Barzó the director of the University of Miskolc Central European Academy, Hungary was followed by the introduction of the research group’s activity by Marcin Wielec the Director of the Institute of Justice in Warsaw and Head of the Department of Criminal Procedure at the Faculty of Law and Administration of the Cardinal Stefan Wyszyński University in Warsaw. The renowned author of several books and a number of scientific articles in the field of criminal proceedings

introduced the members of the research team, namely Dr. Vanja-Ivan Savić, prof. András Koltay, prof. Matija Damjan, prof. Marta Dragičević-Prtenjača, prof. Dušan Popović, prof. David Sehnálek, prof. Katarína Šmigová and last but not least Dr. Bartłomiej Oręziak, PhD.

Professor Marcin Wielec discussed the research group's focus on domestic interpretations of the right to privacy, the challenges related to its implementation, the extent of intervention by national authorities, and the involvement of international authorities like the Council of Europe or the European Union in each country. The research team also examined national forms of privacy protection, how the right to privacy is interpreted in national and international jurisprudence when one of the parties involved is the country under analysis. The research aimed to present the national perspectives on the interpretation, implementation, and protection of the right to privacy.

The right to privacy is currently one of the most significant human rights, and several aspects of it require thorough analysis. The research group successfully compiled a comparative monograph with nine chapters, titled "The Right to Privacy in the Digital Age: Perspective of Analysis on Certain Central European Countries". The book was introduced by Deputy Director Prof. Pawel Sobczyk from the University of Opole, Institute of Justice Warsaw, Poland.

The research group emphasized the need for an appropriate organizational and legal structure to address emerging solutions resulting from the dynamics of community development, which is a natural phenomenon in every community.

Section I of the conference featured presentations by Prof. Marta Dragičević-Prtenjača from the University of Zagreb, Croatia, Prof. David Sehnálek from Masaryk University, Czech Republic, and Prof. Marcin Wielec. Prof. Marta Dragičević – Prtenjača in her presentation entitled the "Child's Privacy in Croatia from a Criminal Law perspective" highlighted international and regional regulation of privacy protection in connection with which she, among others, mentioned the most important legal regulations i.e. the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. She focused on two aspects of privacy violation concerning children: by parents and by the media. Additionally, she highlighted the significance of the Convention on the Rights of the Child as the first document that treats children as subjects with rights rather than solely individuals in need of special protection.

Prof. David Sehnálek delivered an intriguing presentation on the so called 'SHARENTING' (sharing + parenting). This acronym despite its simple construction, reflects a quite serious problem regarding children's rights i.e. the information about children shared by their parents typically on social media.

Professor Sehnálek pointed out the extreme lengths that sharenting could lead to, more precisely since children have limited or no access at all to the cyberspace, therefore they do not have control over how they are presented, and thus, despite the best intentions of protecting children's rights, they *de facto* lose their status of SUBJECTS and become mere OBJECTS in cyberspace. According to Professor, Czech law lacks specific legislation on this issue relying on general legislation regulating the position of parents in the upbringing of a child.

The course of the conference continued with Section 2, presentations of prof. András Koltay from the University of Public Service Hungary, Dr. Bartłomiej Oręziak, PhD from the Cardinal Stefan Wyszyński University in Warsaw, Institute of Justice Warsaw Poland and prof. Dušan Popović from the University of Belgrade Serbia. The participants of the conference were able to hear valuable and diverse remarks regarding the researched topic from the above-mentioned presenters. Namely, prof. Koltay introduced his remarks on the topic through an analysis of the case law of the European Court of Human Rights, more precisely through the example of the cases of Caroline the princess of Monaco.

Following him, Dr. Oręziak talked about the Right to Privacy in the light of selected Polish Constitutional Court Cases with a special review of the Judgment of the Polish Constitutional Court of 12 December 2005, file ref. act K 32/04 based on a constitutional complaint submitted by Ms Anna Supronowicz, in which she requested the Tribunal to examine the conformity of: Article 36, Article 40, Article 41 as well as Article 42 of the Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 12, 16.1.2001, p. 1, as amended) to Article 8, Article 32, Article 45, Article 78 as well as Article 176 of the Constitution of the Republic of Poland.

Section 2 of the conference was concluded by the presentation of prof. Dušan Popović entitled "The role of Data Protection Authorities (DPAs) in digital privacy protection: Serbian experience". He highlighted the efficiency of the procedure before the DPA in terminating various offline and online breaches of data protection rules. However, he also pointed out the inadequate articulation of different protection mechanisms as a deficiency in the Serbian personal data protection system, emphasizing the need for better coordination among national DPAs in Serbian legislation.

The third and final section of the conference consisted of the presentations of prof. Katarína Šmigová from the Pan-European University Slovakia, prof. Matija Damjan from the University of Ljubljana Slovenia and prof. Vanja-Ivan Savić from the University of Zagreb Croatia. As the first presenter of section 3, prof. Šmigová discussed the right to privacy and freedom of expression in the digital era particularly concerning public figures. Professor Šmigová addressed

the concept of privacy, its meaning, and the challenges it poses in the digital age. Her analysis was based on an evaluation of the provisions of the Slovak Republic's Constitution and the case law of its Constitutional Court. She highlighted that the Slovak Constitution does not explicitly mention the right to privacy or privacy itself. However, it does guarantee the right to integrity and privacy for every individual in the Slovak Republic.

Her presentation was followed by a report which showed a different aspect of privacy protection, namely the protection of privacy of IP addresses in Slovenia by prof. Matija Damjan with a highlight of the so-called Case Benedik. Professor Damjan emphasized the significance of this case because it established both the strong relationship between traffic data, such as dynamic IP addresses, and communication privacy as well as the need for national legislatures to adhere to national constitutional requirements when granting law enforcement agencies or other official bodies permission to restrict this fundamental right. As the last speaker of section 3 of the conference prof. Savić presented his findings under the title "Privacy and Religious Freedoms: Friends of Foes, or Both?".

The conference, rich and diverse in content related to privacy protection, concluded with a closing speech by Katarzyna Zombory, a senior researcher from the University of Miskolc Central European Academy, Hungary. She expressed gratitude to the participants and organizers for a successful and exciting conference.

Throughout the conference, speakers presented various privacy issues from different aspects of life. The analysis and discussions highlighted the complexity of these issues, emphasizing the need for comprehensive research to address each one individually.

The conference successfully achieved its aim of presenting the results through analytical and summary presentations by professors from the Central European Professorial Network's "Right to Privacy" research group, while also raising awareness of privacy issues through knowledge exchange, experiences, findings, and collaboration among the research group members.

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