

LAW & DATA

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University of Padova

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WHAT IS PRIVACY?



PRIVACY

NEGATIVE

POSITIVE

**prevention
of intrusions**

exclusion

PRIVACY

1890

S. Warren // L. Brandeis

RIGHT TO BE LET ALONE

«most comprehensive of rights and the right most valued by civilized men»

- right to reputation
- right to honour and moral integrity
- right to one's own image
- right to private/family life
- right to non-interference
- personhood / protection of identity and dignity
- ...
- right to control personal information

COMMON LAW ORIGIN

distinction between what is private from what is public

PRIVACY

Common Law tradition

Civil Law tradition

RIGHT TO LIBERTY

RIGHT TO DIGNITY

(RIGHT TO) PERSONAL DATA

«Everyone has the right to protect personal data concerning him or her»

Article 8(1) CFR

PERSONAL DATA ?

«any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person»

Art. 4(1)(1) GDPR

CIVIL LAW ORIGIN