

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

Prikaz

UDK 347.153(047.2)

004.7(047.2)

Priljeno: 13. siječnja 2023.

Tena Konjević *

1. INTRODUCTORY INFORMATION ABOUT THE CONFERENCE

The Digital Age has brought many changes that are affecting us as a society, but also as individuals. Therefore, the right to privacy has become something precious that has to be protected by legal provisions and applied in all spheres of life and for all generations. Considering that this topic is highly important from a legal perspective, the University of Miskolc, the Central European Academy, and numerous respected partners organised an international scientific conference under the title “The Right to Privacy in the Digital Age – In Specific Terms” which aimed to address this topic from several perspectives and with the views of presenters from numerous Central European countries. As part of this Conference which was held on 1 December 2022 at the Hungarian Academy of Sciences, the book entitled “The Right to Privacy in the Digital Age. The Perspective of Analysis on Certain Central European Countries” was introduced, which will certainly serve as relevant literature and help experts and scientists who deal with the protection of the right to privacy.

2. COURSE OF THE CONFERENCE

The Conference brought together numerous respected experts and doctoral students from various fields of law who are intrigued by the issue of protecting the right to privacy in the new era. It was opened with the speeches of the acclaimed representatives of the organisers, Dr János Ede Szilágyi and Professor Dr Tímea Barzó. Additionally, Dr Marcin Wielec gave an introduction to the research group activity, and Dr Paweł Sobczyk presented the aforementioned book. The Conference was divided into three sections with three presenters each, led by moderators Dr János Ede Szilágyi and Dr Katarzyna Zombory. The topics presented at the Conference were: “Protection of the Child's Privacy in Croatia from a Criminal Law Perspective” (M. Dragičević Prtenjača from the University of Zagreb, Croatia); “Sharenting from the Perspective of the Right to Privacy (Kids, Be

* Tena Konjević, LLM, Teaching Assistant at the Chair of Labour and Social Security Law Sciences and Social Work, Faculty of Law Osijek, Croatia; PhD candidate at the Deák Ferenc Doctoral School of Law in cooperation with the Central European Academy in Budapest, Hungary

Careful What Your Parents Do on the Internet)” (D. Sehnálek from Masaryk University, Czech Republic); “The Dilemma of a Positive Invention Regarding the Foundations of the Right to Privacy” (M. Wielec from Cardinal Wyszyński University in Warsaw, Institute of Justice Warsaw, Poland); “The Protection of Privacy in the Hungarian Legal System, with Special Regard to Freedom of Expression” (A. Koltay from the University of Public Service, Hungary); “Range of the Right to Privacy in the Light of Selected Polish Constitutional Court Cases” (B. Oręziak from Cardinal Wyszyński University in Warsaw, Institute of Justice Warsaw, Poland); “The Role of Data Protection Authorities (DPAs) in Digital Privacy Protection: The Serbian Experience” (D. Popovic from the University of Belgrade, Serbia); “The Right to Privacy and Freedom of Speech in the Digital Era in Relation to Public Figures” (K. Šmigová from the Pan-European University, Slovakia); “The Protection of Privacy of IP Addresses in Slovenia” (M. Damjan from the University of Ljubljana, Slovenia); “Privacy and Religious Freedoms: Friends or Foes, or Both?” (V. I. Savić, from the University of Zagreb, Croatia).

3. SELECTED TOPICS OF THE CONFERENCE

A brief review is given below of three topics presented at the Conference which had the greatest impact on the author's area of interest.

First, Dr Marta Dragičević Prtenjača, as mentioned, presented the topic “Protection of the Child's Privacy in Croatia from a Criminal Law Perspective”. The presenter gave an overview of the international and regional regulation of privacy protection divided into the general regulation on privacy protection and the specific regulation on the protection of the child's rights and privacy. The speaker emphasised the importance of the Convention on the Rights of the Child of 1989, the EU Charter, the GDPR, and Directive (EU) 2016/800 on procedural safeguards for children who are suspects or accused persons in criminal proceedings. An overview was given of the ECtHR case law on child privacy protection, focusing on the case *Bogomolova v Russia*. Finally, the presenter dealt with the issue of the regulation of privacy protection in Croatia. The primary issue is the lack of a unique definition of privacy or the right to privacy in Croatian legislation, so answers must be sought in several acts, starting with Articles 34 to 37 and 40 of the Constitution of the Republic of Croatia. The presenter also emphasised the importance of the Office of the Ombudsperson for Children in Croatia, since it deals with individual cases related to the child's right to privacy. For example, in 2021, the Office acted in 83 such cases which were most often connected to the privacy of children in the media, including social media. Finally, the speaker concluded that the child's privacy is not sufficiently protected and that in Croatia the right to privacy of children is wholly under the control of parents, which is surely not the proper way of protecting this crucial modern right.

Second, Dr David Sehnalek presented the topic “Sharenting from the Perspective of the Right to Privacy (Kids, Be Careful What Your Parents Do on the Internet)”. This presenter defined the term “sharenting” as the blending of the terms sharing and parenting, which

includes information about children shared by their parents, mostly on social media. It was also emphasised that there are several aspects of the Czech sub-constitutional regulation of privacy protection, parental responsibility, and representation of the child. The Czech Civil Code contains a general clause on privacy protection, followed by a demonstrative enumeration of human values. When it comes to parental responsibility, the Czech Civil Code defines it as the rights and duties of parents which are manifested as care for the child in various ways, starting from the child's birth to its full legal capacity. The pillar supporting this concept, as stated by the presenter, is the best interest of the child. Finally, the speaker provided a justification of sharenting, mostly through Article 875 of the Czech Civil Code, which emphasises the importance of proper communication with the child about decisions that affect their interest and take into account their opinions.

Third, Dr Dušan V. Popović held a presentation on "The Role of Data Protection Authorities (DPAs) in Digital Privacy Protection: The Serbian Experience". It was mentioned that the non-binding resolution of the UN General Assembly of 1991 was the first international text that included a requirement for independent data protection authorities. Serbia has ratified the Convention for the Protection of Individuals with regard to the Automatic Processing of Personal Data (ETS No. 108), the Additional Protocol to the Convention for the Protection of Individuals with regard to the Automatic Processing of Personal Data, regarding supervisory authorities and transborder data flows (ETS No. 181), but also the Protocol amending the Convention for the Protection of Individuals with regard to the Automatic Processing of Personal Data (CETS No. 223), which has not yet entered into force. Serbia signed the Stabilisation and Association Agreement with the EU in 2008, according to which it has to harmonise its legislation on personal data protection with EU and international law. The presenter emphasised that Serbia's first modern legislative act on personal data protection is the Law on Personal Data Protection of 2008, which established the Data Protection Authority. In addition to that body, the Commissioner for Information of Public Importance and Personal Data Protection was founded as the authority responsible for overseeing the implementation of the aforementioned Law. As the presenter concluded, the DPA is an efficient instrument for the determination of offline and online breaches of data protection rules, but there is still room for improvement in the Serbian data protection system.

4. IMPACT OF THE CONFERENCE

The excellently organised Conference named "The Right to Privacy in the Digital Age – In Specific Terms" provided insight into different approaches to the subject of the right to privacy in the modern age. The presenters emphasised special cases of such protection, which are not often discussed. It is commendable that by involving experts from Central Europe, the organisers attempted to find solutions for the betterment of the legal system as a whole. In conclusion, the Conference succeeded in revealing this topic of the modern right of every person, which is becoming all the more delicate due to the development of

technology and constant presence in the online world. One of the focal points was the rights of sensitive groups, such as children, who, in the modern era, enter the digital world at an early age when they are still not fully aware of their rights. This book is recommended to gain a better insight into this important and current topic.