

KATARZYNA CŁAPIŃSKA

Privacy and the virtual world: protecting individual rights in the Internet age

Summary

The article aims to indicate the most important issues facing an individual wishing to protect his or her privacy on the Internet. It also describes the evolution of the concept of the right to privacy, which over the years has become one of the most important subjective rights reflected both in the Polish Constitution and in the legal acts of the Council of Europe and the European Union. The text also demonstrates the approach to the issue of the right to privacy taken by both the Polish constitutional and international judiciary. The European Court of Human Rights in Strasbourg, in the cases of *Dupate v. Latvia* and *Brother Watch and others v. United Kingdom*, dealt with both the publication of photographs of a public figure taken surreptitiously in a private situation and mass surveillance. The Court of Justice of the European Union in Luxembourg, in its judgments, has often referred to the issue of the protection of telecommunications data, including the question of access by state services to such data (*H.K case*) and the rights and obligations created by Articles 7 and 8 of the Charter (*Kärntner Landesregierung and Digital Rights Ireland Ltd case*). The European Union authorities, reacting to the increasingly widespread problem of data flows on the Internet, decided to enact the General Data Protection Regulation – (GDPR). The article describes the most important objectives and tasks to be fulfilled by this legal act. In addition, the main problems associated with the use of new technologies such as cybercrimes, cyber surveillance, data theft, as well as cryptojacking and the functioning of APTs (Advanced Persistent Threat), i.e. skilled hacking groups, are also indicated.

Keywords: Right to privacy – Internet – personal data