

## CONSTITUTIONALISM - REFORM ON DATA PROTECTION LAW AND HUMAN RIGHTS

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**ABSTRACT:** *The purpose of this paper is to address one of the most Fundamental Freedom and Human Rights the protection of privacy, particularly under the provisions of the European Convention on Human Rights as interpreted by the Strasbourg institutions and by national courts. Article 8 of the Convention provides in its first paragraph that everyone has the right to respect for his private and family life, his home and his correspondence. This paper is focused to one of the central issues of the problem of "human rights and scientific and technological developments" i.e., the protection of the privacy. This paper is intended to explain the legal measures and the state efforts to regulate and to protect the privacy. It tries to interpret the Directive 95/46/EC of the European Parliament and of the Council and to present the major reasons for the movement towards comprehensive privacy and data protection laws. This paper seeks to arrive at conclusions that the problem is continuing even with the adoption of legal and other protections measurements, violations of privacy remain a concern. In many countries, laws have not kept up with the technology, leaving significant gaps in protections. In other countries, law enforcement and intelligence agencies have been given significant exemptions. Finally, in the absence of adequate oversight and enforcement, the mere presence of a law may not provide adequate protection.*

**KEYWORDS:** *human rights, privacy, data protection, threat, technological developments.*

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