

L'ÉTAT D'URGENCE ET L'INTERFÉRENCE DANS LA VIE PRIVÉE

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ABSTRACT: *The establishment of a state of emergency at national level can lead to legislative measures leading to a limitation of people's fundamental rights, as they are known and protected in a democratic society. Interception, GPS tracking or restricting the right to free speech are measures that, in exceptional situations, such as a state of emergency, could be considered justified. However, the applicability of the principle of proportionality must not be forgotten in this situation as well, as less invasive privacy solutions are preferable. At the same time, the principle of legality requires the express regulation of the methods by which they may be carried out, of the conditions that must be met in order to have recourse, even in exceptional cases, to such measures by the bodies competent to implement the measures.*

Starting from the current regulations and the decisions of the relevant Constitutional Court, analyzing some of the measures taken at national level or in other states during the state of emergency, the article presents a vision of the "acceptable" limits of interference with the private life brought by state of emergency, for the common social interest.

KEYWORDS: *fundamental rights; interception; state of emergency.*

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