

Right to Privacy

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Article 8 provides a right to respect for one's "private and family life, his home and his correspondence", subject to certain restrictions that are "in accordance with law" and "necessary in a democratic society". This article clearly provides a right to be free of unlawful searches, but the Court has given the protection for "private and family life" that this article provides a broad interpretation, taking for instance that prohibition of private consensual homosexual acts violates this article. This may be compared to the jurisprudence of the United States Supreme Court, which has also adopted a somewhat broad interpretation of the right to privacy. Furthermore, Article 8 sometimes comprises positive obligations: whereas classical human rights are formulated as prohibiting a State from interfering with rights, and thus not to do something (e.g. not to separate a family under family life protection), the effective enjoyment of such rights may also include an obligation for the State to become active, and to do something (e.g. to enforce access for a divorced father to his child).

My reaction with regards to this article, is most of us as an individual persons is given the right to have our own privacy, with regards to our property, personal belongings and others. No one shall be subjected to arbitrary interference with his privacy. The right of the people to be secure in their persons, houses, papers and effect against unreasonable searches and seizures of whatever nature and for any purpose shall be inviolable, and no search warrant or warrant of arrest shall issue except upon probable cause to be determined personally by the judge after examination. If there will be violation of this shall be inadmissible for any purpose in any proceeding.

So people must have an integral understanding of human rights and to reject all forms of perception and discrimination based on beliefs, race, gender, and social class. They should encourage respecting the dignity of all especially the weak and powerless. And we need to strengthen respect for human rights and fundamental freedom, and to value human dignity and develop individual self respect and respect others with regards yo their “privacy” as a person.