

Cameras and privacy in neighbourhood relations

Abstract

This thesis describes the legal aspects of operating CCTV systems in the context of neighbourhood relations. The interest of the camera operator is usually to increase the protection of property and increase the safety of persons, i.e. to protect the life and health of persons.

The aim of the thesis is to analyse the legal aspects of the operation of camera systems in terms of permissible interference with the right to privacy, with reference specifically to the protection of property in the light of the new methodology of the Office for Personal Data Protection on camera systems of 8 February 2024. The main general research question can be formulated as follows: in which cases can the right to protection of property override the right to protection of personal privacy in connection with the operation of camera systems in the context of neighbourhood relations, and in which cases not?

The first part of the paper discusses the case law, in particular the decisions of the European Court of Human Rights relating to Article 8 of the Convention on Human Rights. Furthermore, the thesis examines the EU level of data protection, analysing both the WP29 opinions and the current European Data Protection Board guidelines, in particular the Board's 3/2019 guidelines on the processing of personal data through video devices as amended on 29 January 2020. The fulfilment of the information obligation by the controller (sign) is also analysed in detail.

The second part of the thesis describes the legal anchorage of privacy protection in the Constitution of the Czech Republic and the Charter of Fundamental Rights and in the Civil Code. The law on personal data processing is also mentioned.

In the final part of the thesis, the previous knowledge, in particular legislation and case law, is applied to the legal analysis of specific situations that arise in the operation of a video surveillance system by a natural person, and to the two most famous Czech cases that directly concerned the conflict between the right to privacy and the protection of property (the Ryneš and ekolo.cz cases).

Key words: privacy, data protection, cameras