

The legal framework of personal data e-processing in the digital environment in Greece

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Abstract

The digital networks are a significant human achievement and play a major role in our lives. Especially regarding the internet, we should point out that it is thought of as the threshold of a new era in the field of digital networks, on the grounds that its outbreak reversed the traditional communication framework.

The internet as well as the telecommunication networks have the following special characteristics: a. the contribution of subscribers' or users' personal data such as name, surname, telephone number, e-mail address etc to the network service provider, is mostly a precondition for entry to them, and b. the processing of specific personal data by the network service provider is inevitable with reference to the purposes of the conveyance of a communication, the subscriber billing and the interconnection payments. This fact in combination with the potentialities that are placed at human's disposal by the modern technological means makes it easy for administrators of digital networks or third parties, who are instigated by base motives (curiosity, speculation etc), to process illegally the aforementioned personal data.

The numerous menaces of infringement upon the private sphere of users or subscribers of digital networks (for instance phishing, pharming, tapping, intervention or surveillance of communications, hacking, packet-sniffing, spamming, formation of files with "digital profiles" of users or subscribers of electronic communications services etc), which arise from the technological evolution and the rapid development of digital networks, show the dire necessity of outlining clear and articulate rules for the protection of privacy in the digital environment. In this paper, we will present the legal framework of the personal data processing in the field of electronic communications according to the Law No. 3471/2006, which brings into force the dictates of the e-privacy Directive (Directive 2002/58/EC) in the Greek law and order.