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| **European Convention on Human Rights**  **ECHR - Article 8:** Privacy  **Article 8 – privacy**  **Main article:** Article 8 of the European Convention on Human Rights  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. There have been cases discussing consensual familial sexual relationships, and how the criminalisation of this may violate this article. However, the ECHR still allows such familial sexual acts to be criminal. 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 parent to his/her child).  Notable cases:   * [***Roman Zakharov v. Russia***](https://en.wikipedia.org/wiki/Zakharov_v._Russia) [2015] EHCR 47143/06 * [***Malone v United Kingdom***](https://en.wikipedia.org/wiki/Malone_v_United_Kingdom) [1984] ECHR 10, (1984) 7 EHRR 14 * [***Oliari and Others v. Italy***](https://en.wikipedia.org/wiki/Oliari_and_Others_v._Italy) (2015) |