

Information Security And The Right To Privacy in Digital Economy– The Case Of Republic Of Croatia

Marija Boban, PhD*,

*Assistant Professor at University of Split Faculty of Law, Split, Croatia

E-mail: marija.boban@pravst.hr

Abstract - The complexity of the changes that have affected digital economy, as well as modern society in whole, is primarily reflected in the frequent use of terms such as information, data (and information) security, personal information, the right to privacy and the information society. As a result, numerous articles, studies and research are dealing with this topic. The starting point of the paper presents the concept of information, personal data, privacy and information security. Defining privacy or infringe the rights of persons (individuals) and personality (individuality) sets the basis for the protection of personal data and set up an adequate framework for information security in the Republic of Croatia. Also, in addition to the protection of data in this paper a special part presents the debate on the right to correction of information as an important part of data protection and at the same time as the way of protecting the rights of citizens in the information society - primarily in the Digital Economy and Government/Local Government/Public Services.

Key words: information, data security, information security, privacy, correction of information, Croatian law.

I. INTRODUCTION

The complexity of the social changes that have affected modern society is primarily reflected in the frequent use of terms such as information, information security, personal information, right to privacy, information society and digital economy. Numerous articles, studies and research dealing with this topic. The fundamental driver of these changes was the Internet. Of course, the primary goal of the Internet as such was ensuring that easier and faster access to information in order to be available to everyone in the network without any restrictions.¹ Although it seemed to suit the needs of the time, today it appears as one of the greatest weaknesses of the Internet, especially when it comes to the subject of data privacy and right to access information in the public administration which especially in the area of public and local governments that include minimum investments in information security (if any!).

At this point it is important to keep in mind that first developed the technology transfer of various types of messages as well as digital form of communication, as

used on the Internet now, but not the equivalents protective mechanisms which in practice lead to unwanted and quite frequent cases of abuse, which leads to the question of the status of the Internet as a global communications infrastructure. Overall, the business of the 21st century is known as the digital economy due to the fact that new knowledge and information has become the most important commodity in the market, and the Internet as a medium of exchange has imposed the same as the basic infrastructure of society that enables the exchange of data spatially very distant participants, and also those who are willing to abuse everything they available through a global network.²

II. RELEVANCE OF THE CONCEPTS OF INFORMATION SECURITY AND THE RIGHT TO PRIVACY IN THE DIGITAL ECONOMY

The concept of information we encounter in the most varied situations of use in everyday life to those in specialized scientific fields. It is a basic feature of the information age, information science, technology and society itself. From the variety of meanings which owns, in this part of the processed information is one aspect of which are associated with the concept of the message as the information carrier. By definition, *information* is the result of processing, analyzing and organizing data in a way that adds a note to the recipient. In other words, it is primarily the context in which the data was obtained. Information as a concept has a variety of meanings, from the mundane to the technical use.³

² For more information on digital economy see MALECKI, E. J., MORISET, B., „*The digital economy: business organization, production processes, and regional developments*“, Taylor & Francis, 2008., p. 13 – 17.

³ On the one hand, the analysis of the conceptual nature of the term of information often leads to a kind of relative historicism which reflects the constant change of meaning, and a confusing number of arbitrary definitions that do not provide the foundations of a new understanding of the term. On the other hand, the analysis by setting nature of the term information points to two problems: a large number of equivalent evidence fail to show the available information and certain personality when choosing. This presents a serious difficulty of each researcher's history one clue who wants genealogically and critical to clarify the concept of information with etymological methods. See HORIĆ, A., "Information - history of a term on Capurro understanding of the term information," Croatian Library Journal 50, 1/2 (2007), p. 98. See also

¹ Also KOGUT, B., (ed.) „*The global internet economy*“, MIT Press, Massachusetts Institute of Technology, 2004., p. 1 - 41.

Since the data and information are often used interchangeably, it is important to distinguish these terms. Specifically, the definition of information is that this is data put into the semantic context, while the data outside of the context. According to the Law on Data Secrecy, Official Gazette . 79/2007 (hereinafter LDS) " data presents any document , or any written , amplified , drawn image , printed, filmed , photographed , magnetic , optical, electronic , or any other record of information , knowledge , measure , process , object, oral communication or information, which, given its content, has the importance of confidentiality and integrity of their owners. " (LDS Art. 1 Paragraph 1). Or in other words , the data is useless until it conveys some information . According to the definition of information is a set of characters that mean something to the recipient , or discovering something new . Information is a term with many meanings depending on the context , but as a rule closely related to such concepts as meaning, knowledge , perception, instruction , communication , and various mental processes . Simply put , the information is received and understood as the message . But above all , it is the result of processing , manipulating and organizing data in ways that they build on the knowledge the person who receives this information.

On the other hand, the message is materialized form of information. The main feature of the message is that it is informative, and that the person to whom it is intended (the recipient) provides a (new) information. Information is always about something, and in this sense, it may be true or false. To be as useful or appropriate it is important that all participants in the communication channel have a certain knowledge about the subject matter. Although theories and models that consider the recipient necessarily imply the existence of the sender and therefore do not attach importance to the idea that information can come from the environment, it should be noted that the information and the message we must look at is always strictly linguistic context, because even us and the noise that interferes with the flow communication gives specific information.

Exhaustive legal definition of personal data on the Personal Data Protection Act (Official Gazette no. 103/0, 118/06 - hereinafter PDPA), according to which personal information is any information relating to an identified natural person or a natural person who is can identify that a person whose identity can be determined directly or indirectly, in particular on the basis of one or more factors specific to his physical, physiological, mental, economic, cultural or social identity (PDPA Article 2.) However, in an attempt to define a thorough personal data the question whether the concept of distinguishes personalities from the concept of privacy was left open? If we try to primarily determine the meaning of personality in Croatian language should provide some preliminary remarks. If we were to literally translate the

words used in the western countries, then we are talking about the same word or translation would be the same as the English word privacy⁴, similar to the personality of the German -Croatian-English dictionary, the word privacy is translated as secrecy of trust, privacy, solitude, peace, and so on until the word Personlichkeit, or in English, personality translates as personality, identity, personality, etc.⁵ Thus, the concept of personality⁶ covers an area that explicitly represents a person and her personal life, and the concept of privacy encompasses a wider range of features people taken individually, do not have to have some meaning, but linked to a stable structure resulting portrait of the person, which usually only the person needs to know . Therefore, the origin of the narrower the definition of personal data as well as information specifically related to an identified natural person or a natural person or a person whose identity can be determined directly or indirectly.

Also, privacy is one of the supporting values of Western legal culture. It is based, on the one hand, the belief that every human being has value in itself, and on the other to the primal human need for the existence of a particular protected area from which everyone else was off psychologically and materially.⁷ Using the phrase "right

⁴ According to the dictionary of foreign words the word " private " (derived from the word " PRIVATUS " - personal , Your) means something personal and has no official character (unofficial). Further defined as confidential, secret , private, confidential , pets , domestic , exclusive, limited, nejava , closed. See KLAIĆ , B., Dictionary of foreign words , foreign words and loanwords , Croatian Heritage Publishing House, Zagreb, 1990. , p. 1090. The term of privacy itself has been derived from the Latin word, which originally just means those places that are not allowed access to the public. Indicated the need for the inviolability of the private sphere is sublimated in the rich tradition of human thought, especially in the writings of luminaries like Voltaire , Montesquieu , Diderot , Rousseau , Bentham , Gibbon , Hume , Adam Smith , Kant , Locke , B. Franklin , Th. Jefferson and many others. But before it was recognized as an individual right provided with adequate protection, privacy has long figured only as a moral- philosophical ideal. On this see RADIĆ , Ž. , " The genesis of the right to privacy " , Proceedings of the symposium 'Right to privacy , Novalja - Split, 2008., p. 46 See also Guardster , The Right to Privacy , "p. First available at http://www.guardster.com/?Tutorials-The_Right_to_Privacy (25th 06th 2011).

⁵ The United States Supreme Court has stated that American citizens have the protection of the Fourth Amendment (freedom from search and seizure absent warrant) when there is a reasonable expectation of privacy. Without a reasonable expectation of privacy, however, there is no privacy right to protect. "Various guarantees create zones of privacy. The right of association contained in the penumbra of the First Amendment. The Third Amendment in its prohibition against the quartering of soldiers. The Fourth Amendment explicitly affirms 'the right of the people to be secure in their persons, houses, papers, effects, against unreasonable searches and seizures'. The Fifth Amendment in its Self Incrimination Clause. The Ninth Amendment provides: 'The Enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.'" Griswold v. Connecticut, 381 U.S. 479 (1965) See GUARDSTER , The Right to Privacy , "p. First available at http://www.guardster.com/?Tutorials-The_Right_to_Privacy (10. 09. 2013.).

⁶ Instead of the notion of privacy as synonymous in the Croatian language uses the term "personality" since according to its content, which is determined by factors outside the person, in connection with it, is a component of "persona". Cf. Brezak, M. "The right to privacy", Croatian Heritage Publishing House, Zagreb, 1998, p. 12 by Tomislav Ladan, editor of Croatian Lexicographic Institute in Zagreb (conversation led with him on January 11, 1995)

⁷ Ibid., BREZAK, M., p.12-13.

CAPURRO, R., "Information: ein Beitrag zur etymologischen und ideengeschichtlichen Begründung des Informationsbegriffs" Saur., Munich, in 1978., p. 116.

to privacy" when determining primarily legal and safety and protection of the methodology, as well as a set of rules that should be included in the protection of all the features of the situation, the conditions and circumstances in which the individual realizes his need for inner peace, what I want and which, taking into account all social conditions, have the right, it should be clear when it comes to normative regulation.⁸

In today's busy world threats to privacy rights have the effect of violation of information personality that in the strictest sense of the word is defined as a claim of individuals, groups or institutions to independently decide when, how and what information about yourself to cede to others.⁹ In a broad, generally accepted meaning of the term information personality actually defines the term information security under which implies that the individual, in terms of the information society, decide when, where, how and how much will disclose personal information, taking into account their rights and needs, but and the rights and needs of the community where the person lives.¹⁰ Circumstances and conditions of personal rights are defined depending on different variables: depending on the culture, structure or sociological tradition of a society.¹¹

In the complex environment of the digital economy modern security management information systems acknowledge that most risks cannot be completely

⁸ Also, it is important to compare the perception of personality through property relations that even possible violation of personal data is seen as a violation of people (causing mental anguish, etc.) and is not a property in the classical sense, nor of material values. See KRNETA, S., Civil law protection of the private life in European law, Yearbook of Law Faculty in Sarajevo, 1970., p. 81-97. See also, Dika, M., "Protection of personal rights in litigation and enforcement", in Klaric, P. (ed.) "Responsibility for non-pecuniary damages for the infringement of personal rights, , Zagreb, 2006., p. 267. Also see RADOLOVIĆ, A., "The right of personality in the new Law on Obligations," Journal of Faculty of Law in Rijeka, Vol 27 no.1, p.133-134.

⁹ According to WESTIN, A., Privacy and Freedom, Atheneum, New York, 1970., p.7

¹⁰ s a basis for the definition of personal data protection is primarily defined by the concept of personal data. In accordance with the legal point of view, personal rights are defined as subjective immaterial rights legal system recognizes a person in respect of its personal, compensates personal resources and opportunities as their protection of private rights. On this definition, it is necessary to interpret the definition of personal rights as one of the key foundations of the protection of persons and personal data. With respect to protecting people and individual rights is important to distinguish the concept of protecting the physical security of the person and the protection of privacy and individual personality. Personality is , however, necessarily related to privacy, which is based on deep personal definition of each individual. Interference on the personality of violating the fundamental rights guaranteed by the legislation and the question is can you ever recover damages in this case učinja. Cf. Brezak, M. p. 22

¹¹ For example, privacy in certain cultural communities is given by hiding women's faces on foundation in religion, but this is a good example of how the protection of personal rights is functioning. In the same way, in modern terms, the "chat-room-in" or talking through aliases or nicknames of people who access this website in order to protect the personality not to sign their data on the first and last name in order to prevent misuse of the same. Every person on earth is born with the need for personality, for its own framework in which to develop and prosper. On this see beyond TUCAK, I., "Rule of Law and Human Rights," Legal Life, no. 14/2007., p. 483

eliminated and that they need to be managed in a cost effective manner. In information strategies, especially created for the purpose of information security is important to concentrate on the development of a methodology for the assessment and analysis of threat and vulnerabilities within the context of a security risk management.¹² It refers mostly to the threat and vulnerability assessment method developed with the needs of mobile computer systems in mind. Most of the information strategies consist of four stages: a) Assessment Scope, b) Scenario Construction & Modeling, c) Threat Agent & Vulnerability Analysis, and d) Stakeholder Evaluation. These kinds of strategies actively involve stakeholders and focuses upon a technical, socio-technical and business aspect of the system.¹³

III. THE LEGAL LEGISLATIVE IN DATA PRIVACY, INFORMATION SECURITY AND THE RIGHT TO PRIVACY IN THE REPUBLIC OF CROATIA

Apart from regulatory framework, the legal framework of eGovernment model in Croatia if regulated by the following legislative:

- The Constitution of Republic of Croatia; Official Gazette of Republic of Croatia, NN 56/90, 135/97, 8/98, 113/00, 124/00, 28/01, 41/01, 55/01, 76/10, 85/10
- Law on Personal Identification Number,
- Official Gazette of Republic of Croatia, No. 60/08
- Law on Protection of Personal Data, Official Gazette of Republic of Croatia 103/03
- Law on Right to Access Information, Official Gazette no. 172/03
- Law on Information Security, Official Gazette of Republic of Croatia 79/07

In this area, as one of the most questions that the information society faces in today's digital economy is confidentiality of information, the second is availability and the third is integrity of the information. Together these three security principles form the basics of information security model which is namely intended for protection of access to information.¹⁴, the conflicts of

¹² See BÖHLEN, M. H., E-government: towards electronic democracy : international conference, TCGOV 2005 Bolzano, Italy, March 2-4, 2005 proceedings, Springer, 2005., p 122

¹³ More on this approach at BOBAN, M., Building eGovernment model on the principles of new economy trends and international standards considering protection of citizen privacy and personal data, E-Society Journal Research and Applications, Volume 1, Number 2, Zrenjanin, December 2010., str. 1 – 15

¹⁴ Referring to presentation available on the Internet KLAJČ, A.: „EU's information security expectations“, Conference Infos-week, Zagreb, 14-18. svibanj 2007., p.5. (unpublished): the first domain's property is confidentiality as the main property; the second and third domain's is privacy while in the 4th domain disclosure is not desirable but it is not harmful.

rights of access to information and protection of personal data.¹⁵ (as shown on Fig. 1.).

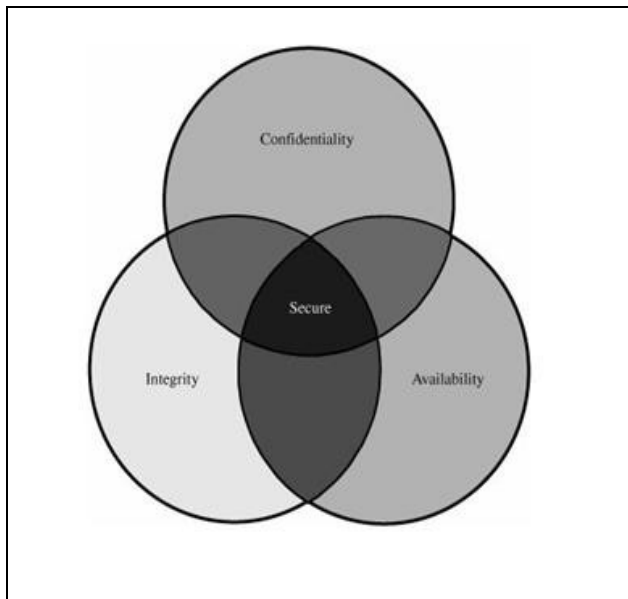


Figure 1. Three main principles of information security in digital economy

The Republic of Croatia, as the entire member states of the European Union, is also signatory of the European Convention on Human Rights and the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, the European Commission was concerned that diverging data protection legislation would emerge and impede the free flow of data within the EU zone. Therefore the European Commission decided to harmonize data protection regulation and proposed the Directive on the protection of personal data, which member states had to transpose into law by the end of 1998. In full name, Directive 95/46/EC on the protection of individuals with regard to the processing of personal data (Official Journal L 281, 23/11/1995 P. 0031 – 0050) and on the free movement of such data contains a number of key principles which must be complied with. Anyone processing personal data must comply with the eight enforceable principles of good practice.

In contemporary information society, information is made pursuant to the process of public information, an integral part of the democratic and political process. Information becomes an important element of freedom and the right to disseminate information to a large extent depends on the legitimacy and management capabilities of data collections. It is obvious that the process of disseminating information, its printing, publication or broadcast in the media is subject to the erroneous interpretation. Logically, one of the constitutional and distinctive means of limiting the freedom of public information for the protection of personal rights is the right of correction of information. The Constitution of

Republic of Croatia ("Official Gazette" no. 56/90, 135/97, 8/98-consolidated text, 113/2000 124/2000 - consolidated text, 28/2001 and 41/2001-consolidated text, 85 / 2010-revised text - hereinafter Constitution) guarantees the right to a correction which has been determined by the Constitution and the law (Constitution Art. 38). The process of disseminating information, their printing, posting or displaying is regulated by the legal regulations governing public media. In Croatia, the information is accomplished through media that are subject to national legislation and Media Law¹⁶ ("Official Gazette", no. 59 / 04, still-ML).

Legally, it is interesting to view the correction information is one of the logical, constitutional and differential means limiting the freedom of public information to protect the rights of personality. ML entitles legal or natural person that within 30 days of the publication of false or incomplete information from the editor requires disclosure of the correction of the notice of violating her rights and interests.¹⁷ Correction must be published in the first, and if it arrived late, in the second program content upon receipt, without changes and additions, in the same or equivalent in the programming area, of the same or equivalent manner in which the information was published, in radio and television programs published reading in the same program and the period of time or in the same kind of identical ratings.¹⁸ The ML also regulates rules of court proceedings if the editor refused to publish a correction or do not publish on time and in the manner prescribed by law. Considering the essence of the freedom of public information in the legal freedom of reporting, advocates of logical restrictions on the freedom of the press in the correct information, see the means to support the principle of duty of truth, i.e., transmitting only the truth in reporting. For supporters of the constitutional limitations on freedom of media boundaries of public information derived from the protection of personal honor, and the principle of equality of citizens. For the theory differing

¹⁶ Media are: newspapers and other print, radio and television programs, news agencies, electronic publications, teletext and other forms of daily or periodical publishing editorial program content transmission media, voice, sound or image. The media are not books, textbooks, newsletters, catalogs or other holders disclosure intended exclusively for educational, scientific and cultural process, advertising, business communication, operation of companies, institutes and institutions, associations, political parties, religious and other organizations, school newsletters, "Official Gazette" of the Republic of Croatia, the official journal of local and territorial (regional) governments and other official announcements, posters, flyers, brochures and banners, and video sites without live images and other free information, unless this Act provides otherwise. (ML, Article 2. § 1)

¹⁷ According to ML everyone has the right to require that the editor at no charge to publish a correction of information that they were violating the rights or interests. Have the right to correct and legal persons and other organizations and bodies, if the information was violated their rights and interests. The purpose of corrections is to correct inaccurate or incomplete informacije. Objava correction may be requested within 30 days of the publication of information. (ML Art. 40, paragraphs 1 and 2)

¹⁸ On this see Zlatović, D., "The right to correction and response to the new Media Law," Law and Taxation, no. 3, March 2007., p. 38 - 42

¹⁵See REDDICK, C. G., Politics, democracy, and e-government: participation and service delivery, Idea Group Inc (IGI), 30. 3. 2010., p.373

demarcations of the correction of the information, its intent is to defend certain constitutional and preferential rights established by the Constitution and by the law regulations. The Croatian Constitution guarantees "the right to correction to anyone who has been violated by public news as his/hers constitutional and legal right." (Constitution Art. 38).

Through the mass media it is also exercised the constitutional right to freedom of expression. The exercise of this right requires freedom of the press and other mass media, freedom to establish any public information, the ban on censorship and the right of journalists to freedom of reporting and access to information. The Republic of Croatia guarantees the freedom of expression and freedom of the media, which includes the freedom of expression, collection, research, publication and dissemination of information, publication and dissemination of the press, the flow of information, media openness, pluralism and diversity of media, the availability of public information, production and broadcasting of radio and television broadcasting, freedom of establishment of legal persons for the performance of public information (ML Art. 3 Para 1 and 2). However, freedom of information can lead to the publication of false and derogatory information, and cause a breach of privacy. (ML Art. 7 Para 1) is therefore legally entitled to a correction and reply and the right to compensation for the damage caused.¹⁹ On the other hand, prevent printing and distributing printed items and broadcasting is a criminal offense.

Also, the right of journalists, editors, printers and authors of published reports that refuse to give information on the source of published information or information that is intended to publish, is also protected by ML in a specific way. Specifically, the „journalistic secret“, a term that is conventional for such retention is different from the professional secret in that it is only the right, but not the obligation. So, the reporter may refuse to reveal the source of information, but there is no legal obligation to maintain the confidentiality of the data. (ML Art. 30 Paragraph 1) The court shall request for paying sources to adopt if it is necessary to protect the public interest in a particularly important and serious circumstances, and no reasonable alternative measures of disclosure of such information, and if the public interest in disclosure of the source clearly prevails over the interest of its protection.²⁰ According to the interpretation of the Code of Criminal Procedure (Official Gazette 62/03- still CPC), the journalist is released duty to testify about sources of information obtained in carrying out their profession, except in criminal proceedings for offenses against honor

¹⁹ See KOVAČIĆ, T., "Liability for breach of personal rights of the legal person publishing the information in the media (I)," Law and Taxation, no. 8, August 2008., p. 40-45

²⁰ According to art. 233 Paragraph 3 of the CPC in the criminal proceedings are not subject to seizure records of the facts that have been done by journalists and their editors in the media about the sources of information and data that they learn in the course of their occupation and who were used while editing the media, which are in their possession or the editor in which they are employed.

and reputation committed mass communication (CPC art. 244 § 1).²¹

In Croatia, the right to access the information is explicitly regulated by the Law on Right to Access Information – (further LRAI - Official Gazette no. 172/03). which stipulates that public authorities are public bodies, local and territorial (regional) governments, legal persons with public authorities and other persons to whom are delegated public authorities? (Article 3 paragraph 2 LRAI). The goal of LRAI is to enable and provide access to information to physical and legal persons by public action by public authorities. (Article 2, LRAI) Also, all public authorities were required to ensure organizational, financial, technical and other requirements to implement the provisions of the Act. According to this, "the right of access to information" is defined "as the right of beneficiary to seek and receive information as well as the obligation of public authorities to provide access to the requested information, or to disclose information even when there is no special requirement for publication is their obligation to a particular law or other general regulations." (Article 3 Paragraph 5, LRAI).

On the side of public authorities in the LRAI model, there are following assumptions: the non-existence of exceptions to the right of access; consistent application of the principle of access to information; legal action concerning a request and consistent application of measures for the realization of the right of access as well as the organization of collecting, processing and providing information. So for the availability of information it is essential to meet the specific requirements that the applicant's side, and on the side of public authorities.²² On the information seekers: it is necessary to first know the legislation on right to access information; such content making demands that will result in the requested information; it is necessary to know the matter, within which one can find the required information and also it is an essential and status information seeker and the financial capability.

²¹ According to Article 244 CPC obligation of testimony exempts: 1) the spouse or common-law partner accused, 2) relatives of the accused in a vertical line, relatives of the lateral line to the third degree and relatives by marriage to the second degree, 3) an adoptee and adoptive defendant, 4) lawyers, notaries, tax consultants, doctors, dentists, pharmacists, midwives and social workers about what they are doing their jobs out of the defendant, and in Section 5) journalists and their editors in the media about the sources of information and data that they learn in the course of their occupation and who were used while editing the media, except in criminal proceedings for offenses against honor and reputation committed through the media.

²² The law stipulates the obligation of submitting reports by public authorities on the implementation of the previous year to 31 January, and the Office submits a report to the Croatian Government to 28th February for the previous year. The Croatian Government is obliged to submit the report on the implementation until the 31st of March to the Croatian Parliament for adoption. By experience, the Central Administration Office regularly reports on the right to access information and enter it in a timely manner in the regular procedure in the Croatian Parliament. For example see report available at www.vlada.hr/hr/content/download/7052/59557/file/6%20-145.pdf (12. 03. 2014.)

Also, the main stipulation of the LRAI is public interest connected with legal, political, economic and financial interests of the Republic of Croatia – in this case. But sometimes it is not clear what the term "public interest" actually means. Often it is defined as a public benefit that may result from publication of certain information. But it is very difficult to explain what would be the benefit, because of course it depends from case to case. In this question, we should not ignore the fact that the exemption of this right to access the information as a public interest from the obligation to keep information that contain personal data of citizen's – beginning even with only a name – a secret. In this case it shouldn't no matter how the public services are motivated by public (government) interest or the right to access information of importance to the entire legal, political, economic and financial system of a country.

In this cases in the legal practice is used the test of public interest and proportionality which requires the public authority to assess whether, in each case in the public interest to allow access to the information or whether you would benefit from providing access to information was greater than any harm (proportionality between constraints and objectives to be protected). The theory emphasizes that the public interest test should be used very carefully and conscientiously as it requires a higher level of decision making between the two conflicting rights or interests. The test involves balancing the public interest and assessment in order to determine which is better for the public interest: to disclose or not disclose information. The public interest may change over time and depends on many circumstances, these changes and depends on the current situation. Public interest test requires an assessment on a case by case basis, considering the different variable factors.

IV. CONCLUSION

Since the information, in nowadays so called „information era“ has began to rule the world, the question of the data security has becoming increasingly relevant issue in the experts discussions. Also, the question of information, data security and the personal privacy take a fundamental part of the discussion related to the personality and information security connected to the new technologies. In this paper, afterwards the thorough debate, still remains the question whether indeed litigation, and the Law itself, can really undo the damage of the revelation and correction of inaccurate information? Whether the civil lawsuit can put a “price” on someone's “privacy”, and whether mechanisms, so clearly laid, in the Constitution and connected laws actually function in practice? Especially in the field of Government, Local Government and Public Services? Although the litigation related to the disclosure and correction of information is laid on expedited basis - remains an open problem of compensation and protection of personal data and personal information security in order to prevent

encroachment into the foundations of human rights and dignity. Furthermore, there remains the question of "irreparable" harm violating the right of personality, personal's honor, reputation, dignity, one's private and intimate sphere, the name, character or work which in Croatia in the field of public public administration – still has no legal practice in general.

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