

# La sorveglianza di massa e la tutela dei diritti fondamentali alla luce della Convenzione Europea dei Diritti dell'Uomo

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*The Mass Surveillance and the Human Rights' Defense under the European Convention of Human Rights*

*Abstract:* Beyond the different technical mass surveillance programs that are being leaked continually after the first information revealed by Snowden, it is possible to note also an increasing number of legislative policies and acts that aim to legalize the invasion in private life under the justification of national security. Even in a time of emerging threats that requires exceptional measure to protect people's life, it is important to find a balance between democratic values, fundamental rights and emergencies. In this sense, Article 8 of the European Convention of Human Rights and the jurisprudence of the European Court of Human Rights can represent an example of this balance, that is based on the analysis of the measures taken in the name of national security framed into the general principles of democracy and rule of law. From these cases, it is possible to extract some safeguards that must inform the policies of the States dealing with regulation of surveillance and prevention of terrorism.

*Keywords:* Mass surveillance, European Court of Human Rights, National security.

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