This presentation examines case law developed in the United States and Japan, focusing on constitutional recognition of privacy rights in fingerprints and DNA.

It demonstrates how the judiciary in the United States (both federal and state) has refused to recognize privacy rights, even though Americans were the first to bring cases to courts starting from the early 1900s. In Japan, however, a recent ruling (2022) by the Nagoya District Court recognized, in an unprecedented way, that Article 13 of the Japanese Constitution protects citizens’ privacy in fingerprint and DNA. The Nagoya court aligned with the European Court of Human Rights ruling in 2008. Using fingerprint privacy as an example, the presentation aims to argue that American failure to recognize privacy as a fundamental rights is not a recent phenomenon, rather it started much earlier. Thus, such a failure represents a much deeper flaw in its constitutional structure.

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This event is open to everyone. No registration is required. A limited number of lunches will be provided.