

The Foundations Of Eu Data Protection Law Oxford S

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Explore the fundamental principles and historical development of EU Data Protection Law with this authoritative resource. Delve into the core concepts underpinning GDPR, understanding its genesis and critical impact on data privacy regulations across Europe. This essential text, likely from an Oxford series, provides a comprehensive overview for students and professionals alike, seeking a deeper understanding of European data law.

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The Foundations of EU Data Protection Law

Nearly two decades after the EU first enacted data protection rules, key questions about the nature and scope of this EU policy, and the harms it seeks to prevent, remain unanswered. The inclusion of a Right to Data Protection in the EU Charter has increased the salience of these questions, which must be addressed in order to ensure the legitimacy, effectiveness and development of this Charter right and the EU data protection regime more generally. The Foundations of EU Data Protection Law is a timely and important work which sheds new light on this neglected area of law, challenging the widespread assumption that data protection is merely a subset of the right to privacy. By positioning EU data protection law within a comprehensive conceptual framework, it argues that data protection has evolved from a regulatory instrument into a fundamental right in the EU legal order and that this right grants individuals more control over more forms of data than the right to privacy. It suggests that this dimension of the right to data protection should be explicitly recognized, while identifying the practical and conceptual limits of individual control over personal data. At a time when EU data protection law is sitting firmly in the international spotlight, this book offers academics, policy-makers, and practitioners a coherent vision for the future of this key policy and fundamental right in the EU legal order, and how best to realize it.

Research Handbook on EU Data Protection Law

Bringing together leading European scholars, this thought-provoking Research Handbook provides a state-of-the-art overview of the scope of research and current thinking in the area of European data protection. Offering critical insights on prominent strands of research, it examines key challenges and potential solutions in the field. Chapters explore the fundamental right to personal data protection, government-to-business data sharing, data protection as performance-based regulation, privacy and marketing in data-driven business models, data protection and judicial automation, and the role of consent in an algorithmic society.

The Right to Erasure in EU Data Protection Law

This book critically investigates the role of data subject rights in countering information and power asymmetries online. It aims at dissecting 'data subject empowerment' in the information society through the lens of the right to erasure ('right to be forgotten') in Article 17 of the General Data Protection Regulation (GDPR). In doing so, it provides an extensive analysis of the interaction between the GDPR and the fundamental right to data protection in Article 8 of the Charter of Fundamental Rights of the EU (Charter), how data subject rights affect fair balancing of fundamental rights, and what the practical challenges are to effective data subject rights.

The Right to Erasure in EU Data Protection Law

This book critically investigates the role of data subject rights in countering information and power asymmetries online. It aims at dissecting 'data subject empowerment' in the information society through the lens of the right to erasure ("right to be forgotten") in Article 17 of the General Data Protection Regulation (GDPR). In doing so, it provides an extensive analysis of the interaction between the GDPR and the fundamental right to data protection in Art.8 of the Charter of Fundamental Rights of the EU (Charter), how data subject rights affect fair balancing of fundamental rights, and what the practical challenges are to effective data subject rights. The book starts with exploring the data-driven asymmetries that characterise individuals' relationship with tech giants. These commercial entities increasingly anticipate and govern how people interact with each other and the world around them, affecting core values such as individual autonomy, dignity and freedom. The book explores how data protection law, and data subject rights in particular, enable resisting, breaking down or at the very least critically engaging with these asymmetric relationships. It concludes that despite substantial legal and practical hurdles, the GDPR's right to erasure does play a meaningful role in furthering the fundamental right to data protection (Art. 8 Charter) in the face of power asymmetries online.

European Data Privacy Law and Online Business

EU data protection law is of great practical relevance for any company doing business in today's global information economy. This book provides a detailed and practical exposition of European data protection law in the context of the issues that arise in electronic commerce and dataprocessing. It analyses the relevant EU legislation and case-law, and makes particular reference to the EU Data Protection Directives as well as to the national regulatory systems in Europe and the US. Numerous examples are taken from practice, and advice is given on how the relevant data protection laws apply to and impact upon business in Europe, the US, and worldwide. Beginning with a detailed description of the legislative process, the book goes on to discuss the basic legal concepts underlying data protection law. It then focuses on how to determine whether EU law applies to particular electronic commerce and online activities, and how to transfer personal data outside Europe so as to comply with EU law. The book also includes a comprehensive analysis of how to deal with complex compliance challenges, including notification of databases, processing of employee data, privacy policies, and website compliance and standardization. The key legislative texts needed to deal with complex data protection issues are included in the appendices, along with forms and precedents, contact information for data protection authorities, and links to useful websites. The book is fully up-to-date with the amendments to the Telecommunications Data Protection Directive passed in the summer of 2002.

GDPR: Personal Data Protection in the European Union

GDPR: Personal Data Protection in the European Union Mariusz Krzysztofek Personal data protection has become one of the central issues in any understanding of the current world system. In this connection, the European Union (EU) has created the most sophisticated regime currently in force with the General Data Protection Regulation (GDPR) (EU) 2016/679. Following the GDPR's recent reform – the most extensive since the first EU laws in this area were adopted and implemented into the legal orders of the Member States – this book offers a comprehensive discussion of all principles of personal data processing, obligations of data controllers, and rights of data subjects, providing a thorough, up-to-date account of the legal and practical aspects of personal data protection in the EU. Coverage includes the recent Court of Justice of the European Union (CJEU) judgment on data transfers and new or updated data protection authorities' guidelines in the EU Member States. Among the broad spectrum of aspects of the subject covered are the following: – right to privacy judgments of the CJEU and the European Court of Human Rights; – scope of the GDPR and its key definitions, key principles of personal data processing; – legal bases for the processing of personal data; – direct

and digital marketing, cookies, and online behavioural advertising; – processing of personal data of employees; – sensitive data and criminal records; – information obligation & privacy notices; – data subjects rights; – data controller, joint controllers, and processors; – data protection by design and by default, data security measures, risk-based approach, records of personal data processing activities, notification of a personal data breach to the supervisory authority and communication to the data subject, data protection impact assessment, codes of conduct and certification; – Data Protection Officer; – transfers of personal data to non-EU/EEA countries; and – privacy in the Internet and surveillance age. Because the global scale and evolution of information technologies have changed the data processing environment and brought new challenges, and because many non-EU jurisdictions have adopted equivalent regimes or largely analogous regulations, the book will be of great usefulness worldwide. Multinational corporations and their customers and contractors will benefit enormously from consulting and using this book, especially in conducting case law, guidelines and best practices formulated by European data protection authorities. For lawyers and academics researching or advising clients on this area, this book provides an indispensable source of practical guidance and information for many years to come.

The EU General Data Protection Regulation (GDPR)

This new book provides an article-by-article commentary on the new EU General Data Protection Regulation. Adopted in April 2016 and applicable from May 2018, the GDPR is the centrepiece of the recent reform of the EU regulatory framework for protection of personal data. It replaces the 1995 EU Data Protection Directive and has become the most significant piece of data protection legislation anywhere in the world. The book is edited by three leading authorities and written by a team of expert specialists in the field from around the EU and representing different sectors (including academia, the EU institutions, data protection authorities, and the private sector), thus providing a pan-European analysis of the GDPR. It examines each article of the GDPR in sequential order and explains how its provisions work, thus allowing the reader to easily and quickly elucidate the meaning of individual articles. An introductory chapter provides an overview of the background to the GDPR and its place in the greater structure of EU law and human rights law. Account is also taken of closely linked legal instruments, such as the Directive on Data Protection and Law Enforcement that was adopted concurrently with the GDPR, and of the ongoing work on the proposed new E-Privacy Regulation.

Handbook on European data protection law

The rapid development of information technology has exacerbated the need for robust personal data protection, the right to which is safeguarded by both European Union (EU) and Council of Europe (CoE) instruments. Safeguarding this important right entails new and significant challenges as technological advances expand the frontiers of areas such as surveillance, communication interception and data storage. This handbook is designed to familiarise legal practitioners not specialised in data protection with this emerging area of the law. It provides an overview of the EU's and the CoE's applicable legal frameworks. It also explains key case law, summarising major rulings of both the Court of Justice of the European Union and the European Court of Human Rights. In addition, it presents hypothetical scenarios that serve as practical illustrations of the diverse issues encountered in this ever-evolving field.

EU Data Protection and the GDPR

Developed from the casebook Information Privacy Law, this short paperback contains key cases and materials focusing on privacy issues related to the GDPR and data protection in the European Union. Topics covered include the GDPR, Schrems cases, the right to be forgotten, and international data transfers. This book is designed for use in courses and seminars on: Comparative and international law EU law Privacy law Information law Consumer law Topics covered include: GDPR Schrems I and Schrems II cases The right to be forgotten International data transfers, including an account of the rise and fall of the Privacy Shield European Court of Human Rights cases European Court of Justice cases Comparative analysis of EU and US privacy law

Reforming European Data Protection Law

This book on privacy and data protection offers readers conceptual analysis as well as thoughtful discussion of issues, practices, and solutions. It features results of the seventh annual International Conference on Computers, Privacy, and Data Protection, CPDP 2014, held in Brussels January 2014.

The book first examines profiling, a persistent core issue of data protection and privacy. It covers the emergence of profiling technologies, on-line behavioral tracking, and the impact of profiling on fundamental rights and values. Next, the book looks at preventing privacy risks and harms through impact assessments. It contains discussions on the tools and methodologies for impact assessments as well as case studies. The book then goes on to cover the purported trade-off between privacy and security, ways to support privacy and data protection, and the controversial right to be forgotten, which offers individuals a means to oppose the often persistent digital memory of the web. Written during the process of the fundamental revision of the current EU data protection law by the Data Protection Package proposed by the European Commission, this interdisciplinary book presents both daring and prospective approaches. It will serve as an insightful resource for readers with an interest in privacy and data protection.

EU Data Protection Law

Data Protection has become one of the most important news topics of recent years, playing a role in elections and referendums, and posing a whole host of new legal questions. At its core, data protection is the statutory protection provided to protect the privacy of individuals with regard to personal data. It places various obligations on persons who keep personal data, eg that the data must be accurate and kept for lawful purposes. EU Data Protection Law provides an analysis of the EU's proposed General Data Protection Regulation. The book analyses the rights of the data subject including rights to information, access, rectification, erasure (right to be forgotten), restriction, portability and objection. It examines in detail the role and responsibilities of controllers and processors together with governance (including the Data Protection Officer) and risk (data protection by design and default, the Data Protection Impact Assessment, data security and the notification of subjects). The role of data protection authorities, the European Data Protection Board and enforcement mechanisms such as fines and other liabilities and penalties are also explored. Other relevant Directives are discussed together with appropriate case law. This comprehensive treatment is the only one of its kind. It will also be of international appeal, as Ireland's perspective in this area carries great weight in light of Ireland's position as the European headquarters for many digital technology companies such as Facebook and Google.

The Emergence of Personal Data Protection as a Fundamental Right of the EU

This book explores the coming into being in European Union (EU) law of the fundamental right to personal data protection. Approaching legal evolution through the lens of law as text, it unearths the steps that led to the emergence of this new right. It throws light on the right's significance, and reveals the intricacies of its relationship with privacy. The right to personal data protection is now officially recognised as an EU fundamental right. As such, it is expected to play a critical role in the future European personal data protection legal landscape, seemingly displacing the right to privacy. This volume is based on the premise that an accurate understanding of the right's emergence is crucial to ensure its correct interpretation and development. Key questions addressed include: How did the new right surface in EU law? How could the EU Charter of Fundamental Rights claim to render 'more visible' an invisible right? And how did EU law allow for the creation of a new right while ensuring consistency with existing legal instruments and case law? The book first investigates the roots of personal data protection, studying the redefinition of privacy in the United States in the 1960s, as well as pioneering developments in European countries and in international organisations. It then analyses the EU's involvement since the 1970s up to the introduction of legislative proposals in 2012. It grants particular attention to changes triggered in law by language and, specifically, by the coexistence of languages and legal systems that determine meaning in EU law. Embracing simultaneously EU law's multilingualism and the challenging notion of the untranslatability of words, this work opens up an inspiring way of understanding legal change. This book will appeal to legal scholars, policy makers, legal practitioners, privacy and personal data protection activists, and philosophers of law, as well as, more generally, anyone interested in how law works.

Data Protection

Written by one of the UK's leading data protection experts, this invaluable handbook offers practical solutions to issues arising in relation to data protection law within the UK and EU. Now in its fifth edition, Data Protection: A Practical Guide to UK and EU Law has been fully updated to include new cases and guidance, with provisions of the General Data Protection Regulation, which will remain UK law

after Brexit. This book has been adopted as a recommended text for the Practitioner Certificate In Data Protection (www.dataprotectionqualification.com), the leading qualification for those who work within the field of data protection.

Data Protection

This handbook offers practical solutions to issues arising in relation to data protection law. It is fully updated and expanded to include coverage of all of the significant developments in the practice of data protection.

Personal Data Protection and Legal Developments in the European Union

In the age of technological advancement, including the emergence of artificial intelligence, big data, and the internet of things, the need for privacy and protection has risen massively. This phenomenon has led to the enforcement of two major legal directives in the European Union (EU) that aim to provide vigorous protection of personal data. There is a need for research on the repercussions and developments that have materialized with these recent regulations and how the rest of the world has been affected. Personal Data Protection and Legal Developments in the European Union is an essential reference source that critically discusses different aspects of the GDPR and the Law Enforcement Directive as well as recent jurisprudential developments concerning data privacy in the EU and its member states. It also addresses relevant recent case law of the Court of Justice of the EU, the European Court of Human Rights, and national courts. Featuring research on topics such as public transparency, medical research data, and automated decision making, this book is ideally designed for law practitioners, data scientists, policymakers, IT professionals, politicians, researchers, analysts, academicians, and students working in the areas of privacy, data protection, big data, information technology, and human rights law.

The EU General Data Protection Regulation (GDPR)

This book provides expert advice on the practical implementation of the European Union's General Data Protection Regulation (GDPR) and systematically analyses its various provisions. Examples, tables, a checklist etc. showcase the practical consequences of the new legislation. The handbook examines the GDPR's scope of application, the organizational and material requirements for data protection, the rights of data subjects, the role of the Supervisory Authorities, enforcement and fines under the GDPR, and national particularities. In addition, it supplies a brief outlook on the legal consequences for seminal data processing areas, such as Cloud Computing, Big Data and the Internet of Things. Adopted in 2016, the General Data Protection Regulation will come into force in May 2018. It provides for numerous new and intensified data protection obligations, as well as a significant increase in fines (up to 20 million euros). As a result, not only companies located within the European Union will have to change their approach to data security; due to the GDPR's broad, transnational scope of application, it will affect numerous companies worldwide.

Consent in European Data Protection Law

Against the background of European legal framework, this book offers a comprehensive analysis of the concept of consent in data protection, with a special focus on the field of electronic communications.

GDPR: General Data Protection Regulation (EU) 2016/679

Personal data protection has become one of the central issues in any understanding of the current world system. In this connection, the European Union (EU) has created the most sophisticated regime currently in force with the General Data Protection Regulation (GDPR) of 2016. This book on this major data protection reform offers a comprehensive discussion of all principles of personal data processing, obligations of data controllers and rights of data subjects. This is the core of the personal data protection regime. GDPR is applicable directly in all Member States, providing for a unification of data protection rules within the EU. However, it poses a problem in enabling international trade and data transfers outside the EU between economies which have different data protection models in place. Among the broad spectrum of aspects of the subject covered are the following: – summary of the changes introduced by the GDPR; – new territorial scope; – key principles of personal data processing; – legal bases for the processing of personal data; – marketing, cookies and profiling; – new information clauses; – new Subject Access Requests (SARs), including the 'right to be forgotten' on the Internet,

the right to data portability and the right to object to profiling; – new data protection by design and by default; – benefits from implementing a data protection certificate; and – data transfers outside the EU, including BCRs, SCCs and special features of EU–US arrangements. This book references many rulings of European courts, as well as interpretations and guidelines formulated by European data protection authorities, examples and best practices, making it of great practical value to lawyers and business leaders. Because of the increase in legal certainty in this area guaranteed by the GDPR, multinational corporations and their customers and contractors will benefit enormously from consulting and using this book. For practitioners and academics, researching or advising clients on this area, and government policy advisors, this book provides an indispensable source of guidance and information for many years to come.

Privacy & Data Protection Foundation Courseware - English

Besides the Privacy & Data Protection Foundation Courseware - English (ISBN: 9789401803595) publication you are advised to obtain the publication EU GDPR, A pocket guide (ISBN: 978 1 849 2855 5). Privacy & Data Protection Foundation covers the main subjects related to the protection of personal data. Candidates benefit from a certification that is designed to impart all the required knowledge to help ensure compliancy to the General Data Protection Regulation. Within the European Union regulations and standards regarding the protection of data are stringent. The General Data Protection Regulation (GDPR) went into force in May 2016 and organizations have until May 2018 to change their policies and processes to ensure they fully comply. Companies outside Europe will also need to comply when doing business in Europe. One of the solutions to comply in time is to qualify staff. Having certified professionals with the right level of knowledge can help prepare your organization to face these opportunities. The EXIN Privacy & Data Protection program covers the required knowledge of legislation and regulations relating to data protection and how this knowledge should be used to be compliant.

Data Protection and Privacy Under Pressure

Since the Snowden revelations, the adoption in May 2016 of the General Data Protection Regulation and several ground-breaking judgments of the Court of Justice of the European Union, data protection and privacy are high on the agenda of policymakers, industries and the legal research community. Against this backdrop, Data Protection and Privacy under Pressure sheds light on key developments where individuals' rights to data protection and privacy are at stake. The book discusses the persistent transatlantic tensions around various EU-US data transfer mechanisms and EU jurisdiction claims over non-EU-based companies, both sparked by milestone court cases. Additionally, it scrutinises the expanding control or surveillance mechanisms and interconnection of databases in the areas of migration control, internal security and law enforcement, and oversight thereon. Finally, it explores current and future legal challenges related to big data and automated decision-making in the contexts of policing, pharmaceuticals and advertising.

Guide to the General Data Protection Regulation

Présentation de l'éditeur : "Guide to the General Data Protection Regulation provides comprehensive coverage of the new EU General Data Protection Regulation and commentary on how it will impact on the UK national level. Intended as a companion to Data Protection Law and Practice (4th edition), the key and sole focus of this title is the General Data Protection Regulation. Guide to the General Data Protection Regulation will provide a detailed and stand-alone account of the most significant development in UK Data Protection law since the 1998 Act itself."

Data Protection Law in the EU

Practically every organisation in the world processes personal data. European data protection law imposes a series of requirements designed to protect individuals against the risks that result from the processing of their data. It also distinguishes among different types of actors involved in the processing and sets out different obligations for each type of actor. The most important distinction in this regard is the distinction between 'controllers' and 'processors'. This book seeks to determine whether EU data protection law should continue to maintain its current distinction.

The Risk-Based Approach to Data Protection

The concept of a risk-based approach to data protection came to the fore during the overhaul process of the EU's General Data Protection Regulation (GDPR). At its core, it consists of endowing the regulated organizations that process personal data with increased responsibility for complying with data protection mandates. Such increased compliance duties are performed through risk management tools. This book provides a comprehensive analysis of this legal and policy development, which considers a legal, historical, and theoretical perspective. By framing the risk-based approach as a *sui generis* implementation of a specific regulation model known as meta regulation, this book provides a recollection of the policy developments that led to the adoption of the risk-based approach in light of regulation theory and debates. It also discusses a number of salient issues pertaining to the risk-based approach, such as its rationale, scope, and meaning; the role for regulators; and its potential and limits. The book also looks at the way it has been undertaken in major statutes with a focus on key provisions, such as data protection impact assessments or accountability. Finally, the book devotes considerable attention to the notion of risk. It explains key terms such as risk assessment and management. It discusses in-depth the role of harms in data protection, the meaning of a data protection risk, and the difference between risks and harms. It also critically analyses prevalent data protection risk management methodologies and explains the most important caveats for managing data protection risks.

Data Protection Around the World

This book provides a snapshot of privacy laws and practices from a varied set of jurisdictions in order to offer guidance on national and international contemporary issues regarding the processing of personal data and serves as an up-to-date resource on the applications and practice-relevant examples of data protection laws in different countries. Privacy violations emerging at an ever-increasing rate, due to evolving technology and new lifestyles linked to an intensified online presence of ever more individuals, required the design of a novel data protection and privacy regulation. The EU General Data Protection Regulation (GDPR) stands as an example of a regulatory response to these demands. The authors included in this book offer an in-depth analysis of the national data protection legislation of various countries across different continents, not only including country-specific details but also comparing the idiosyncratic characteristics of these national privacy laws to the GDPR. Valuable comparative information on data protection regulations around the world is thus provided in one concise volume. Due to the variety of jurisdictions covered and the practical examples focused on, both academics and legal practitioners will find this book especially useful, while for compliance practitioners it can serve as a guide regarding transnational data transfers. Elif Kiesow Cortez is Senior Lecturer at the International and European Law Program at The Hague University of Applied Sciences in The Netherlands.

EU GDPR

This book provides an accessible overview of the changes you need to make in your organization to comply with the new law. --

Transnational Data Protection

Master's Thesis from the year 2017 in the subject Law - European and International Law, Intellectual Properties, grade: 1,0, Steinbeis University Berlin (SIBE), language: English, abstract: The Thesis focuses on the legal perspective of Transnational Data Protection. Here, the scope of the thesis is limited to the provisions and interdependencies of the European Union (EU). Matters of national legislation of EU Member States are implicitly mentioned or characterized but not within the scope of the thesis. Within the current business as well as administrative environment the topic of data protection is a crucial factor for business, public reception and security. The Snowden incident, the Safe Harbor Ruling of the European Court of Justice and ultimately the introduction of the new European General Data Protection Regulation in May 2018 poses potential threat scenarios for businesses and require responsive actions on the respective management level. While the importance of data protections is now an omnipresent and a commonly known issue, it is still a rather neglected topic. It often bears the stigma of nuisance and implies costly implementation of measures and processes. Nonetheless, corporations, companies, businesses and governmental agencies have to adhere to data protection regulations, the demands of the digitalization and social pressure. Therefore, the abidance by Data Protection Law has incrementally gained a more essential role within company's and administration's structures during the last years. This is especially true for transnational contexts. Here, Data Protection Management encompasses privacy compliance and organizational privacy management as part of the

information security risk management. Essentially the objective and responsibility of Data Protection Management in the context of transnational data flows in the EU are based in its the legal framework. Within the current business environment the topic of data protection is a crucial factor for business, public reception and security. Businesses and governmental agencies have to adhere to data protection regulations. Therefore, the abidance by Data Protection Law has gained a more essential role within company's and administration's structures. This is especially true for transnational contexts. Data Protection encompasses privacy compliance and management as part of the information security risk management.

Information Technology Law

'Information Technology Law' examines the national and international basis for action on such topics as data protection and computer crime. The text goes on to analyse the effectiveness of current intellectual property legislation.

Research Handbook on Privacy and Data Protection Law

This Research Handbook is an insightful overview of the key rules, concepts and tensions in privacy and data protection law. It highlights the increasing global significance of this area of law, illustrating the many complexities in the field through a blend of theoretical and empirical perspectives.

Governing Cross-Border Data Flows

Governing Cross-Border Data Flows explores how the European Union can simultaneously reconcile and pursue two important legal and policy objectives, namely: protecting fundamental rights guaranteed under the EU Charter of Fundamental Rights (EU Charter) concerning privacy and personal data, while also maintaining and developing a binding, rules-based global trading system to ensure appropriate access to foreign digital markets for EU businesses. The book demonstrates a significant conflict between international trade law and European data privacy law when it comes to the governance of cross-border flows of personal data. To resolve the tensions caused by this clash, the book proposes concrete and detailed ways to ameliorate the situation from both ends (international trade and personal data protection), specifically through reforms of both international trade and chapter V of the General Data Protection Regulation (GDPR). To explain how such reforms could be effectuated, Yakovleva examines the role of discourse in the evolution of trade law in the last two decades. The book also paves the way for the further research necessary to design a fully-fledged reform proposal of the EU framework for the transfer of personal data outside the European Economic Area.

Vulnerability and Data Protection Law

Vulnerability and Data Protection Law offers a rich analysis of the meaning of 'data subjects' and 'vulnerability' within the context of the General Data Protection Regulation. It seeks to reconceptualise data subjects' vulnerability in the digital age and to promote a 'vulnerability-aware' interpretation of the GDPR.

The Right to Data Protection

This book advances an approach that combines the individual and the structural, systemic dimensions of data protection. It considers the right to data protection under the EU Charter and its relationship to the secondary legislation. Furthermore, the case law of the Court of Justice of the EU as well as current academic conceptualizations are analysed. The author finds that current approaches invariably link data protection to privacy and often fail to address the structural implications of data processing. He therefore suggests a dualistic approach to data protection: in its individual dimension, data protection aims to protect natural persons and their rights, while the structural dimension protects the democratic society as a whole from the adverse effects of data processing. Using this approach, the full potential of an independent right to data protection can be realized. Researchers, practitioners and students will find this a valuable resource on the rationales, scope and application of data protection. Felix Bieker is Legal Researcher at the Office of the Data Protection Commissioner of Schleswig-Holstein (Unabhängiges Landeszentrum für Datenschutz) in Kiel, Germany.

European Data Protection Regulation, Journalism, and Traditional Publishers

The tension between freedom of expression and European personal data protection regulation is unmistakable. Nowhere is this more apparent than in its interface with professional journalism and other traditional publishers including artists, writers and academics. This book systematically explores how that tension has been managed across thirty-one European States from the 1970s through to the 2010s including under the General Data Protection Regulation (GDPR). It is found that, notwithstanding confusing laws, data authorities have regulated journalism through contextual rights balancing. However, they have struggled to establish a clear standard of strictness or ensure consistent enforcement. Their stance regarding other publishers has been more confused - whilst academics have been subject to onerous restrictions developed for medical and related research, other writers and artists have been largely ignored. This book suggests that contextual rights balancing should be extended to all traditional publishers and systematically developed through robust co-regulation that draws on the strength of both statutory control and self-regulation.

Data Protection

This leading handbook offers practical guidance on data protection issues within the UK. Now fully updated with the Data Protection Act 2018 and the Brexit legislation, the handbook remains indispensable for students and professionals working on data protection compliance.

Passenger Name Records in the Framework of EU Principles of Data Protection

Seminar paper from the year 2018 in the subject Politics - International Politics - Topic: European Union, , language: English, abstract: The aim of this work is to describe the framework of data protection principles within EU law. It will be described how the right to privacy and data protection have been evolving since their birth and how they became fundamental rights that need to be balanced with other crucial interests of the Union, namely, national or public security, with special regard to Passenger Name Records (PNR). A passenger name record consists in a set of data elements which concern each airline passenger's travel itinerary, such as the number and method of reservation, home address, email address, timestamped IP address, mobile and phone numbers, emergency contacts, travel details, payment methods, Frequent Flyer Numbers, and even other billing information as meals or services required by the passengers. In the first chapter it will be pointed out: at first, how the right to privacy was firstly debated within the domestic law of the United States; secondly, which international organizations laid down principles dedicated to the right to respect for private and family life; eventually, how the European Union created a comprehensive set of data protection laws safeguarding data subjects' rights. In this regard, there will be analysed also the most relevant principles of the former Directive 95/46/EC1 and the process that brought into the adoption of the General Data Protection Regulation. Within the first chapter there will be also examined the most remarkable judgements given by the European Court of Justice, which established several benchmarks for the right to data protection, such as "Lindqvist" Case, "Google Spain"

Data Protection and Privacy, Volume 14

This book brings together papers that offer conceptual analyses, highlight issues, propose solutions, and discuss practices regarding privacy, data protection and enforcing rights in a changing world. It is one of the results of the 14th annual International Conference on Computers, Privacy and Data Protection (CPDP), which took place online in January 2021. The pandemic has produced deep and ongoing changes in how, when, why, and the media through which, we interact. Many of these changes correspond to new approaches in the collection and use of our data - new in terms of scale, form, and purpose. This raises difficult questions as to which rights we have, and should have, in relation to such novel forms of data processing, the degree to which these rights should be balanced against other poignant social interests, and how these rights should be enforced in light of the fluidity and uncertainty of circumstances. The book covers a range of topics, such as: digital sovereignty; art and algorithmic accountability; multistakeholderism in the Brazilian General Data Protection law; expectations of privacy and the European Court of Human Rights; the function of explanations; DPIAs and smart cities; and of course, EU data protection law and the pandemic – including chapters on scientific research and on the EU Digital COVID Certificate framework. This interdisciplinary book has been written at a time when the scale and impact of data processing on society – on individuals as well as on social systems – is becoming ever starker. It discusses open issues as well as daring and prospective approaches and is an insightful resource for readers with an interest in computers, privacy and data protection.

Fundamentals of Clinical Data Science

This open access book comprehensively covers the fundamentals of clinical data science, focusing on data collection, modelling and clinical applications. Topics covered in the first section on data collection include: data sources, data at scale (big data), data stewardship (FAIR data) and related privacy concerns. Aspects of predictive modelling using techniques such as classification, regression or clustering, and prediction model validation will be covered in the second section. The third section covers aspects of (mobile) clinical decision support systems, operational excellence and value-based healthcare. Fundamentals of Clinical Data Science is an essential resource for healthcare professionals and IT consultants intending to develop and refine their skills in personalized medicine, using solutions based on large datasets from electronic health records or telemonitoring programmes. The book's promise is "no math, no code" and will explain the topics in a style that is optimized for a healthcare audience.

Data Protection and Privacy, Volume 15

This book offers conceptual analyses, highlights issues, proposes solutions, and discusses practices regarding privacy and data protection in transitional times. It is one of the results of the 15th annual International Conference on Computers, Privacy and Data Protection (CPDP), which was held in Brussels in May 2022. We are in a time of transition. Artificial Intelligence is making significant breakthroughs in how humans use data and information, and is changing our lives in virtually all aspects. The pandemic has pushed society to adopt changes in how, when, why, and the media through which, we interact. A new generation of European digital regulations - such as the AI Act, Digital Services Act, Digital Markets Act, Data Governance Act, and Data Act - is on the horizon. This raises difficult questions as to which rights we should have, the degree to which these rights should be balanced against other poignant social interests, and how these rights should be enforced in light of the fluidity and uncertainty of circumstances. The book covers a range of topics, including: data protection risks in European retail banks; data protection, privacy legislation, and litigation in China; synthetic data generation as a privacy-preserving technique for the training of machine learning models; effectiveness of privacy consent dialogues; legal analysis of the role of individuals in data protection law; and the role of data subject rights in the platform economy. This interdisciplinary book has been written at a time when the scale and impact of data processing on society – on individuals as well as on social systems – is becoming ever more important. It discusses open issues as well as daring and prospective approaches and is an insightful resource for readers with an interest in computers, privacy and data protection.

EU Personal Data Protection in Policy and Practice

In this book, the protection of personal data is compared for eight EU member states, namely France, Germany, the United Kingdom, Ireland, Romania, Italy, Sweden and the Netherlands. The comparison of the countries is focused on government policies for the protection of personal data, the applicable laws and regulations, implementation of those laws and regulations, and supervision and enforcement. Although the General Data Protection Regulation (GDPR) harmonizes the protection of personal data across the EU as of May 2018, its open norms in combination with cultural differences between countries result in differences in the practical implementation, interpretation and enforcement of personal data protection. With its focus on data protection law in practice, this book provides in-depth insights into how different countries deal with data protection issues. The knowledge and best practices from these countries provide highly relevant material for legal professionals, data protection officers, policymakers, data protection authorities and academics across Europe. Bart Custers is Associate Professor and Director of Research at the Center for Law and Digital Technologies of the Leiden Law School at Leiden University, the Netherlands. Alan M. Sears, Francien Dechesne, Ilina Georgieva and Tommaso Tani are all affiliated to that same organization, of which Professor Simone van der Hof is the General Director.

European Data Protection: Coming of Age

On 25 January 2012, the European Commission presented its long awaited new "Data protection package". With this proposal for a drastic revision of the data protection framework in Europe, it is fair to say that we are witnessing a rebirth of European data protection, and perhaps, its passage from an impulsive youth to a more mature state. Technology advances rapidly and mobile devices are significantly changing the landscape. Increasingly, we carry powerful, connected, devices, whose location and activities can be monitored by various stakeholders. Very powerful social network sites

emerged in the first half of last decade, processing personal data of many millions of users. Updating the regulatory network was imminent and the presentation of the new package will initiate a period of intense debate in which the proposals will be thoroughly commented upon and criticized, and numerous amendments will undoubtedly be proposed. This volume brings together some 19 chapters offering conceptual analyses, highlighting issues, proposing solutions, and discussing practices regarding privacy and data protection. In the first part of the book, conceptual analyses of concepts such as privacy and anonymity are provided. The second section focuses on the contrasted positions of digital natives and ageing users in the information society. The third section provides four chapters on privacy by design, including discussions on roadmapping and concrete techniques. The fourth section is devoted to surveillance and profiling, with illustrations from the domain of smart metering, self-surveillance and the benefits and risks of profiling. The book concludes with case studies pertaining to communicating privacy in organisations, the fate of a data protection supervisor in one of the EU member states and data protection in social network sites and online media. This volume brings together some 19 chapters offering conceptual analyses, highlighting issues, proposing solutions, and discussing practices regarding privacy and data protection. In the first part of the book, conceptual analyses of concepts such as privacy and anonymity are provided. The second section focuses on the contrasted positions of digital natives and ageing users in the information society. The third section provides four chapters on privacy by design, including discussions on roadmapping and concrete techniques. The fourth section is devoted to surveillance and profiling, with illustrations from the domain of smart metering, self-surveillance and the benefits and risks of profiling. The book concludes with case studies pertaining to communicating privacy in organisations, the fate of a data protection supervisor in one of the EU member states and data protection in social network sites and online media.

New Technologies and EU Law

What is the nature of the relationship between the fields of new technology and EU law? What challenges do new technologies pose for the internal market and the fundamental principles of the EU? The first part of the collection explores the EU's approach to the regulation of scientific and technological risk, and the link between the regulation of technology and the internal market. In detail, the chapters analyse the interaction between EU law, bioethics and medical and health technologies. The second part of the collection enhances on this, and the chapters scrutinize specific policy areas in order to explain the alternate ways in which EU policy and technology cooperate.