

World Data Protection Report

International Information for International Businesses

Monthly news and analysis of data protection and privacy issues from around the world

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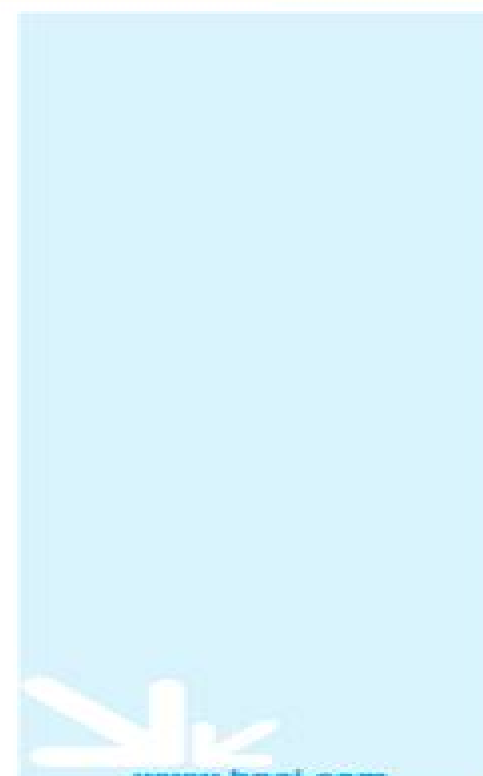
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World Data Protection Report

James B. Rule, G. W. Greenleaf



World Data Protection Report:

European Data Privacy Law and Online Business Christopher Kuner, 2003 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 data processing. 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. **Privacy and Security in the Digital Age**

Michael Friedewald, Ronald Pohoryles, 2016-01-13 Privacy and data protection are recognized as fundamental human rights. Recent developments, however, indicate that security issues are used to undermine these fundamental rights. As new technologies effectively facilitate collection, storage, processing and combination of personal data, government agencies take advantage for their own purposes. Increasingly and for other reasons, the business sector threatens the privacy of citizens as well. The contributions to this book explore the different aspects of the relationship between technology and privacy. The emergence of new technologies threatens increasingly privacy and/or data protection, however, little is known about the potential of these technologies that call for innovative and prospective analysis or even new conceptual frameworks. Technology and privacy are two intertwined notions that must be jointly analyzed and faced. Technology is a social practice that embodies the capacity of societies to transform themselves by creating the possibility to generate and manipulate not only physical objects but also symbols, cultural forms and social relations. In turn, privacy describes a vital and complex aspect of these social relations. Thus, technology influences people's understanding of privacy and people's understanding of privacy is a key factor in defining the direction of technological development. This book was originally published as a special issue of Innovation. The European Journal of Social Science Research. **Global Governance and the Quest for Justice - Volume III**

Peter Odell, Chris Willett, 2008-11-24 This book, one in the four volume set Global Governance and the Quest for Justice, focuses on themes of citizen organisation and empowerment set in the context of globalising legal processes. Chapter One

sets the scene Chapters Two Three and Four focus on various challenges that globalisation poses for private law How does substantive contract and tort doctrine that has been developed mainly for use within national legal systems adapt to more globalised dealings and wrongdoings Should the source of regulation be private international law harmonised national law international accords or some combination Chapters Five Six and Seven focus on issues relating to access to justice as a mode of empowerment and its impact on the functioning of civil society These chapters highlight a variety of procedural professional and institutional challenges for access to justice in a globalised world Chapter Eight considers how we are to reconcile the competing visions of the basis on which essential services are to be provided In a global marketplace is there any room for local values or for values other than those of free market thinking Finally Chapter Nine focuses on the question of democracy in a globalised world If civil society is to retain its political vitality how are citizens to remain engaged and enfranchised as a new global politico legal order takes shape

Data Protection in the Internet Dário Moura

Vicente, Sofia de Vasconcelos Casimiro, 2019-12-01 This book identifies and explains the different national approaches to data protection the legal regulation of the collection storage transmission and use of information concerning identified or identifiable individuals and determines the extent to which they could be harmonised in the foreseeable future In recent years data protection has become a major concern in many countries as well as at supranational and international levels In fact the emergence of computing technologies that allow lower cost processing of increasing amounts of information associated with the advent and exponential use of the Internet and other communication networks and the widespread liberalization of the trans border flow of information have enabled the large scale collection and processing of personal data not only for scientific or commercial uses but also for political uses A growing number of governmental and private organizations now possess and use data processing in order to determine predict and influence individual behavior in all fields of human activity This inevitably entails new risks from the perspective of individual privacy but also other fundamental rights such as the right not to be discriminated against fair competition between commercial enterprises and the proper functioning of democratic institutions These phenomena have not been ignored from a legal point of view at the national supranational and international levels an increasing number of regulatory instruments including the European Union's General Data Protection Regulation applicable as of 25 May 2018 have been adopted with the purpose of preventing personal data misuse Nevertheless distinct national approaches still prevail in this domain notably those that separate the comprehensive and detailed protective rules adopted in Europe since the 1995 Directive on the processing of personal data from the more fragmented and liberal attitude of American courts and legislators in this respect In a globalized world in which personal data can instantly circulate and be used simultaneously in communications networks that are ubiquitous by nature these different national and regional approaches are a major source of legal conflict

Privacy and the Role of International Law in the Digital Age Kinfé Yilma, 2023 This book examines the role of international law in securing privacy

and data protection in the digital age considering the impact of the boundaries of international privacy law and the potential of global privacy initiatives

Data Protection in EU and US Criminal Cooperation Els de Busser, 2009 The research in this doctoral thesis examines the protection of personal data in two relationships between judicial and law enforcement authorities of the EU Member States including Europol and Eurojust on the one hand and the US on the other hand The book provides answers to the central question as to whether the EU complies with her own standards of data protection in these internal relations as well as in the transatlantic cooperation in criminal matters The new framework decision on data protection in criminal matters that entered into force in early 2009 is a significant element in this study alongside the agreement concluded between the EU and the US on the mutual assistance in criminal matters of which the entry into force is equally planned for 2009 The book also reflects on the policy proposals of the EU on justice and home affairs for the period of 2010-2014 Siracusa Prizewinner This book was awarded the 2014 Siracusa Prize of the International Association of Penal Law AIDP IAPL Paris The 2014 Siracusa Prize is delivered on the occasion of the XIXth International Congress of Penal Law Rio de Janeiro Paris

Privacy in the Information Society Philip Leith, 2016-12-05 Information society projects promise wealth and better services to those countries which digitise and encourage the consumer and citizen to participate As paper recedes into the background and digital data becomes the primary resource in the information society what does this mean for privacy Can there be privacy when every communication made through ever developing ubiquitous devices is recorded Data protection legislation developed as a reply to large scale centralised databases which contained incorrect data and where data controllers denied access and refused to remedy information flaws Some decades later the technical world is very different one and whilst data protection remains important the cries for more privacy oriented regulation in commerce and eGov continue to rise What factors should underpin the creation of new means of regulation The papers in this collection have been drawn together to develop the positive and negative effects upon the information society which privacy regulation implies

Consent in European Data Protection Law Eleni Kosta, 2013-03-21 Today consent is a fundamental concept in the European legal framework on data protection The analysis of the historical and theoretical context carried out in this book reveals that consent was not an intrinsic notion in the birth of data protection The concept of consent was included in data protection legislation in order to enhance the role of the data subject in the data protection arena and to allow the data subject to have more control over the collection and processing of his/her personal information This book examines the concept of consent and its requirements in the Data Protection Directive taking into account contemporary considerations on bioethics and medical ethics as well as recent developments in the framework of the review of the Directive It further studies issues of consent in electronic communications carrying out an analysis of the consent related provisions of the ePrivacy Directive

Managing Privacy through Accountability Carla Ilten, Inga Kroener, Daniel Neyland, Hector Postigo, 2012-08-13 Draws together contributions from leading figures in the field of surveillance to engage in the discussion

of the emergence of accountability as a means to manage threats to privacy The first of its kind to enrich the debate about accountability and privacy by drawing together perspectives from experienced privacy researchers and policy makers

International Handbook of Blockchain Law Thomas Richter, Matthias Artzt, 2024-08-14 Blockchain's significant advances since 2020 including a plethora of new use cases have necessitated a comprehensive revision of the first edition of this matchless resource While new chapters and topics have been added the handbook still follows the systematic and structured approach of the first edition Each contributor all of them practitioners experienced with blockchain projects within their respective areas of expertise and specific jurisdictions elucidates the implications of blockchain technology and related legal issues under such headings as the following understanding blockchain from a technological point of view regulatory aspects of blockchain smart contracts data privacy capital markets crypto asset regulation in Europe the UK and the US intellectual property and antitrust law The foundational chapter on the technical aspects of blockchain technology has been meticulously expanded to elucidate the proof of stake consensus mechanism alongside fresh insights into the ERC 721 Token Standard for non fungible tokens decentralized exchanges staking stablecoins and central bank digital currencies As blockchain law cements itself as a distinct legal field this new edition is poised to be an invaluable asset for legal practitioners in house lawyers IT professionals consultancy firms blockchain associations and legal scholars At a depth that allows non IT experts to understand the groundwork for legal assessments the handbook provides those charting the dynamic waters of this field of law with a compass ensuring they are well equipped to tackle the legal issues raised by the usage of blockchain technology

Asian Data Privacy Laws Graham Greenleaf, 2014-10-16 The first work to examine data privacy laws across Asia covering all 26 countries and separate jurisdictions and with in depth analysis of the 14 which have specialised data privacy laws Professor Greenleaf demonstrates the increasing world wide significance of data privacy and the international context of the development of national data privacy laws as well as assessing the laws their powers and their enforcement against international standards The book also contains a web link to an update to mid 2017

Enforcing Privacy David Wright, Paul De Hert, 2016-04-19 This book is about enforcing privacy and data protection It demonstrates different approaches regulatory legal and technological to enforcing privacy If regulators do not enforce laws or regulations or codes or do not have the resources political support or wherewithal to enforce them they effectively eviscerate and make meaningless such laws or regulations or codes no matter how laudable or well intentioned In some cases however the mere existence of such laws or regulations combined with a credible threat to invoke them is sufficient for regulatory purposes But the threat has to be credible As some of the authors in this book make clear it is a theme that runs throughout this book carrots and soft law need to be backed up by sticks and hard law The authors of this book view privacy enforcement as an activity that goes beyond regulatory enforcement however In some sense enforcing privacy is a task that befalls to all of us Privacy advocates and members of the public can play an important role in combatting the continuing intrusions upon privacy by governments

intelligence agencies and big companies Contributors to this book including regulators privacy advocates academics SMEs a Member of the European Parliament lawyers and a technology researcher share their views in the one and only book on Enforcing Privacy **Human Rights, Digital Society and the Law** Mart Susi, 2019-05-31 The Internet has created a formidable challenge for human rights law and practice worldwide International scholarly and policy oriented communities have so far established a consensus regarding only one main aspect human rights in the internet are the same as offline There are emerging and ongoing debates regarding not only the standards and methods to be used for achieving the sameness of rights online but also whether classical human rights as we know them are contested by the online environment The internet itself in view of its cross border nature and its ability to affect various areas of law requires adopting an internationally oriented approach and a perspective strongly focused on social sciences In particular the rise of the internet enhanced also by the influence of new technologies such as algorithms and intelligent artificial systems has influenced individuals civil political and social rights not only in the digital world but also in the atomic realm As the coming of the internet calls into question well established legal categories a broader perspective than the domestic one is necessary to investigate this phenomenon This book explores the main fundamental issues and practical dimensions related to the safeguarding of human rights in the internet which are at the focus of current academic debates It provides a comprehensive analysis with a forward looking perspective of bringing order into the somewhat chaotic online dimension of human rights It addresses the matter of private digital censorship the apparent inefficiency of existing judicial systems to react to human rights violations online the uncertainty of liability for online human rights violations whether the concern with personal data protection overshadows multiple other human rights issues online and will be of value to those interested in human rights law and legal regulation of the internet Self- and Co-regulation in Cybercrime, Cybersecurity and National Security Tatiana Tropina, Cormac Callanan, 2015-05-06 The ever increasing use of computers networks and the Internet has led to the need for regulation in the fields of cybercrime cybersecurity and national security This SpringerBrief provides insights into the development of self and co regulatory approaches to cybercrime and cybersecurity in the multi stakeholder environment It highlights the differences concerning the ecosystem of stakeholders involved in each area and covers government supported initiatives to motivate industry to adopt self regulation Including a review of the drawbacks of existing forms of public private collaboration which can be attributed to a specific area cybercrime cybersecurity and national security it provides some suggestions with regard to the way forward in self and co regulation in securing cyberspace Reinventing Data Protection? Serge Gutwirth, Yves Pouillet, Paul de Hert, Cécile de Terwangne, Sjaak Nouwt, 2009-05-24 data Furthermore the European Union established clear basic principles for the collection storage and use of personal data by governments businesses and other organizations or individuals in Directive 95 46 EC and Directive 2002 58 EC on Privacy and Electronic communications Nonetheless the twenty first century citizen utilizing the full potential of what ICT technology has to offer

seems to develop a digital persona that becomes increasingly part of his individual social identity From this perspective control over personal information is control over an aspect of the identity one projects in the world The right to privacy is the freedom from unreasonable constraints on one's own identity Transaction data both traffic and location data deserve our particular attention As we make phone calls send e-mails or SMS messages data trails are generated within public networks that we use for these communications While traffic data are necessary for the provision of communication services they are also very sensitive data They can give a complete picture of a person's contacts habits interests activities and whereabouts Location data especially if very precise can be used for the provision of services such as route guidance location of stolen or missing property tourist information etc In case of emergency they can be helpful in dispatching assistance and rescue teams to the location of a person in distress However processing location data in mobile communication networks also creates the possibility of permanent surveillance English, French & German Comparative Law Raymond

Youngs, 2014-06-13 This comparative analysis considers the differing approaches to important areas of law in England France and Germany In particular constitutions sources of law rights against the state to prevent abuse of power and rights of private individuals and organisations against each other in tort and contract are examined and compared and the system of courts is also considered Updated and revised each sub topic is introduced with the relevant material in the English system allowing easy comparison and assimilation of the other systems The text includes translations of relevant French and German codal material and references to relevant cases from all of the jurisdictions This new edition includes constitutional changes in France and the United Kingdom in particular the new procedure for challenging existing legislation before the Conseil constitutionnel It examines the consequences of the Lisbon Treaty as well as other recent codal and legislative changes Comprehensive and topical the text explores a wide variety of new case law on issues such as preventive detention the use of evidence obtained by torture the balance between suppression of terrorism and personal freedom the internet email monitoring artificial reproductive techniques use of global positioning systems GPSs deoxyribonucleic acid DNA and closed circuit television CCTV the wearing of religious clothing such as the headscarf and symbols such as the cross circumcision methods of crowd control the prevention of human trafficking the preservation of privacy especially for celebrities and the legality of pre-nuptial agreements and success fees for lawyers Designed for students on comparative law courses this textbook will also prove valuable to students who are familiar with English law but require a readily comprehensible introduction to French or German law Research Handbook on Privacy and Data Protection Law González, Gloria, Van

Brakel, Rosamunde, De Hert, Paul, 2022-03-15 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 The New and Changing

Transatlanticism Laurie Buonanno, Natalia Cuglesan, Keith Henderson, 2015-03-24 The European Union and the US are

currently negotiating the Transatlantic Trade and Investment Partnership TTIP with potentially enormous economic gains for both partners Experts from the European Union and the US explore not only the groundwork laid for TTIP under the New Transatlanticism but also the key variables economic cultural institutional and political shaping transatlantic policy outcomes Divided into four parts Part I consisting of three chapters contextualizes the transatlantic relationship with an historical survey contemporary foreign relations and policy and cultural dynamics Together these chapters provide the background for understanding the evolving nature of the EU US relationship Part II of this volume focuses on governance and comprises two chapters one on transatlantic governance and the other administrative culture Part III consists of six policy chapters competition trade transport mobility regimes financial services regulation and GMOs Part IV consisting of three chapters explores prospects and challenges associated with transatlanticism including the TTIP The last chapter concludes with lessons learned and future challenges with respect to policy convergence the nature of the EU US relationship power resources and bargaining within the transatlantic partnership and an assessment of the future of deeper cooperation and integration This insightful account into policy cooperation between the EU and the US is a welcomed resource for policy specialists oriented toward comparative public policy wishing to enter the arena of Transatlantic Studies

Global Privacy Protection James B. Rule, G. W. Greenleaf, 2010-01-01 The distinguished editors and contributors to this book have produced a valuable report of the state of privacy in a number of jurisdictions with their distinct legal and political traditions It highlights the challenges we confront in our effort to protect and defend a central democratic ideal Raymond Wacks Computer Law and Security Review This book is a seminal piece of literature Although the volume is about privacy law and the international politics of data protection it is vitally important for the whole field of surveillance studies It is easy to follow and written in a way that nonlegal scholars can easily grasp Nils Zurawski Surveillance and Society Global Privacy Protection is certainly to be commended Daniel Seng Singapore Journal of Legal Studies Global Privacy Protection reviews the origins and history of national privacy codes as social political and legal phenomena in Australia France Germany Hong Kong Hungary South Korea and the United States The first chapter reviews key international statements on privacy rights such as the OECD EU and APEC principles In the following chapters the seven national case studies present and analyze the widest variety of privacy stories in an equally varied array of countries They look beyond the details of what current national data protection laws allow and prohibit to examine the origins of public concern about privacy the forces promoting or opposing privacy codes the roles of media grassroots activists and elite intervention and a host of other considerations shaping the present state of privacy protection in each country Providing a rich description of the interweaving of national traditions legal institutions and power relations this book will be of great interest to scholars engaged in the study of comparative law information law and policy civil liberties and international law It will also appeal to policy makers in the many countries now contemplating the adoption of privacy codes as well as to privacy activists

Law of Electronic Commercial

Transactions Faye Fangfei Wang, 2010-01-21 Compares the legislative frameworks in the EU US China and International Organisations applicable to e commerce and highlights the main legal obstacles to the development of electronic contracts and signatures as well as Internet jurisdiction and online dispute resolutions

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World Data Protection Report Introduction

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