

## **Data Policies in the European Union**

### **Content:**

This course explores the intersections between European Union (EU) policies and Data law. By doing so, it throws light on the major current and upcoming challenges of the digital economy, and contextualises contemporary reflections on data, data 'ownership' and data 'sovereignty'. In all the studied areas, special attention is given to both EU internal challenges (such as the delimitation of EU/national competence, acutely contested in (national) security matters), and external challenges, investigating the legal and institutional issues surrounding the role of the EU as a global (data) actor (e.g. PNR agreements, Terrorist Finance Tracking Programme (TFTP), etc.). Additionally, the course will highlight how contemporary data practices, typically bringing together both public and private actors across complex jurisdictional boundaries, need a sound understanding of different legal fields and instruments.

The course is structured around three major themes: the Digital Single Market, Cybersecurity and Cybercrime, and Information Exchange in the Area of Freedom, Security and Justice (AFSJ). It first starts by a review of the Digital Single Market strategy, introducing the study of the key legal fields and issues encompassed by the regulation of online individual and business activities. In this context, it will introduce the basics of Information Law (including Intellectual Property and copyright) and review the increasingly rich interactions between data protection law, competition, and consumer law. Second, it investigates the regulation of Cybersecurity and Cybercrime, analysing EU legal instruments, tools and mechanisms (such as the NIS Directive, the European Cybercrime Centre (EC3), the European Investigation Order (EIO)), and studying also the crucial role of the Council of Europe in this area (via the Budapest Convention). Third, the study of Information Sharing in the AFSJ will explore the regulation of EU large-scale databases (e.g. Eurodac, VIS, SIS II) and other norms applying to data access and flows in the area (e.g. through Europol and Eurojust), with special attention to the EU-United States relations in this context.

### **Additional information regarding evaluation:**

The students will be evaluated on the basis of a written exam, which will combine short open-ended questions with a broader question, in which several issue areas will intersect.

### **Additional information:**

In relation to teaching methods:

- Classes will focus on the legal study of the relevant legal fields and frameworks, but will also be introduced interdisciplinary perspectives into the study of Data laws and EU policies. The variety of perspectives will notably be supported by suggested readings.
- Expert guest lectures will address some of the specific content (e. g. intellectual property).

### **Learning outcomes:**

The course will guarantee students are familiar with all relevant legal and policy fields in relation to the regulation of data and related issues in the EU. Building on their prior knowledge on European and International law and institutional frameworks, and in parallel with the acquisition of expertise on privacy and data protection law, they will learn about the multiple facets of European Data law and policies.