JUS 5630 / 1630: Privacy and Data Protection Law

Lecture Overview, Spring 2019

23 January

*Introduction to course. Trends in surveillance and control. Catalysts for emergence of data protection law.*

- Technological-organisational developments;
- Public fears;
- Economic factors;
- Legal factors.


8 February

*Data protection law in context.*

- Interrelationship of data protection law with human rights; administrative law; labour law; other legal fields.


[Relevant regulatory instruments: Art.8 European Convention on Human Rights (1950); Art. 17 International Covenant on Civil and Political Rights (1967); Arts. 7 and 8 EU Charter of Fundamental Rights (2000)]

13 February

*Overview of data protection laws, their aims and scope.*

- Field of application


27 February

*Regulatory logic of data protection law (I).*

- Core principles


[Regulatory instruments: as for lecture on 13 Feb. but with focus on EU instruments]

6 March

*Regulatory logic of data protection law (II).*

- Core principles (cont’d)

[Required reading: as for previous lecture, plus Mendoza & Bygrave, “The Right not to be Subject to Automated Decisions based on Profiling” (2017)]

[Regulatory instruments: as for previous lecture]

13 March

*Regulatory logic of data protection law (III).*

- Oversight and enforcement


[Supplementary reading: Flaherty, Protecting Privacy in Surveillance Societies (1989); Wright and De Hert (eds), *Enforcing Privacy: Regulatory, Legal and Technological Approaches* (2016)]

[Regulatory instruments: as for previous lecture]

20 March

*Inter-legal aspects of data protection law.*

- Regulation of transborder data flow;
- Issues of jurisdiction and applicable law.


[Relevant regulatory instruments: Arts. 1, 4, 25 & 26 DPD; Arts. 3, 41–50 GDPR; EU-U.S. Privacy Shield Agreement (2016)]

3 April

*EU data protection in Area of Freedom, Security and Justice.*


[Regulatory instruments: EU Council Framework Decision 2008/977/JHA; EU Law Enforcement Directive (2016); CoE Convention on Cybercrime; CoE Recommendation No. R (87) 15 of the Committee of Ministers to member states regulating the use of personal data in the police sector; EU-US Umbrella Agreement (2016)]

10 April
The prospects of data protection law.


[Supplementary reading: Christl & Spiekermann, Networks of Control (2016); Bamberger & Mulligan, Privacy on the Ground (2015); Bygrave, “Hardwiring Privacy” (2017)].

24 April

Course revision; exam preparation.