

LLM IN INTERNATIONAL AND EUROPEAN LAW
Academic year 2024-2025

Course: EU Data Law: Data Protection, AI and Beyond

- Number of ECTS credits: 6
- Semester: 2nd
- Teaching staff: Hielke Hijmans (course titular)
- Content:

This course analyses the challenges that new developments in communication, computing and data processing represent for the law, taking a European perspective. The course explores the intersections between EU policies and the digital transformation from the perspective of the digital economy and public security. It throws light on the major challenges of the digital economy and contextualises contemporary debates on data (data 'ownership', data 'protection and data 'sovereignty') and new types of services (cloud computing, online platforms).

The first part focuses on the EU legal response to the digital transformation, the digital ecosystem of digital services. It assesses the algorithmic systems (AI), online platform regulation, telecommunications and media regulation. It also tackles the EU approach to the liability and responsibility of online service providers, the role of fundamental rights in relevant legal frameworks, the emergence of new risk regulation approaches, oversight and enforcement, transparency and accountability. It also discusses the arrival of AI.

The second part focuses the fundamentals of International and European Data Protection Law, granting particular attention to the global challenges of privacy and data protection regulation. After introducing the main theories surrounding data protection and privacy, it enters into an in- depth exploration of European Union data protection law, in particular the General Data Protection Regulation, the EU law aspects of European data protection law, and the relation between European human and fundamental rights and EU data protection. Exercises on the practice of data protection law and 'data protection on the ground' will be used throughout the course. The course also covers the international perspective by examining data protection law in international law and in other legal systems. Beyond giving students a thorough grounding in the normative legal basis of EU data protection law, the course will also cover practical application of the law, particular in the international involvement. Finally, it also considers both existing principles and mechanisms, as well as possibilities for improvement, and will include a forward-looking reflection of the key future challenges in the area.

- Learning outcomes:

As a result of following this course, students will obtain: a sound understanding of International and European data protection law and their conceptual underpinnings, a clear view of the main international legal systems on privacy and data protection, as well as the crucial differences and similarities between them, and confirmed knowledge on the

fundamental elements of EU data protection law. The students will learn to grasp the complexities of regulating data processing in light of stringent fundamental rights requirements, massive flows of data and where incessant technological development. They will have knowledge on contemporary and upcoming challenges, and have an understanding and initial familiarity with the skills of the practitioners and decision-makers. In sum, the students will be prepared to apply present International and European data protection law, and capable of thinking about, and adapting to, the evolution of such law in the future.