

PREFACE

Due to the significance of international flows of personal data, there are high stakes today for the United States and the European Union (EU) when it comes to information privacy law. The annual digital services trade between the U.S. and EU is worth approximately \$260 billion, and cross-border data flows represent a fast-growing component of trade for these two entities. Yet, differences in transatlantic regulations potentially imperil critical international data flows involving personal information.

This volume, *EU Data Protection and the GDPR*, examines the EU approach to data privacy. It considers the development of the European approach beginning with developments such as the OECD Guidelines and the European Convention on Human Rights. These documents provided the background for the rise of EU data protection through Articles 7 and 8 of the Charter of Fundamental Rights, and then the Data Protection Directive. The Directive, which was created in 1995, established a basic legislative framework for the processing of personal information in the EU.

The EU then replaced the Directive with the General Data Protection Regulation (GDPR), which took effect on May 25, 2018. The GDPR is the strictest and most influential privacy law in the world. This volume's second chapter provides an edited version of the GDPR with its most important sections. In contrast to the Directive, which required EU Member States to pass enacting legislation, the GDPR has direct effect in Member States.

EU Data Protection and the GDPR also looks at the issue of international transfers of data. Personal information increasingly flows across the borders of different nations around the world, and transferring data from the EU to the U.S. has been a complex and controversial matter.

With the profound worldwide influence of the GDPR, it is an exciting time to be studying EU data protection law.

A Note on the Casebook Website. We strive to keep the book up to date between editions, and we maintain a web page for the book with downloadable updates and other useful information. We invite you to visit the website:

<https://informationprivacylaw.com>

The website contains links to useful news sites, blogs, and online resources pertaining to information privacy law issues. We also provide a list of recommended books that can be read in conjunction with this book.

A Note on Privacy Law Fundamentals. Students may find our short volume, *Privacy Law Fundamentals*, to be a useful companion to the casebook. *Privacy Law Fundamentals* is designed to be a distilled overview of information privacy law for both practitioners and students. More information about this book can be found at <http://informationprivacylaw.com>.

A Note on the Editing. We have deleted many citations and footnotes from the cases to facilitate readability. The footnotes that have been retained in the cases have been renumbered.

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