Contents

FC	REWO	RD	3	
ΑE	BREVI	ATIONS AND ACRONYMS	9	
HC	OT W	USE THIS HANDBOOK	11	
1	CONT	EXT AND BACKGROUND OF EUROPEAN DATA PROTECTION LAW	15	
	1.1.	The right to personal data protection	17	
	Key p	points		
		1.1.1. The right to respect for private life and the right to personal data		
		protection: a brief introduction	18	
		1.1.2. International legal framework: United Nations	21	
		1.1.3. The European Convention on Human Rights	22	
		1.1.4. Council of Europe Convention 108	24	
		1.1.5. European Union data protection law	27	
	1.2.	Limitations on the right to personal data protection		
	Key p	points		
		1.2.1. Requirements for justified interference under the ECHR	37	
		1.2.2. Conditions for lawful limitations under the EU Charter of		
		Fundamental Rights		
	1.3.	Interaction with other rights and legitimate interests		
	Key p	points		
		1.3.1. Freedom of expression		
		1.3.2. Professional secrecy		
		1.3.3. Freedom of religion and belief		
		1.3.4. Freedom of the arts and sciences		
		1.3.5. Protection of intellectual property		
		1.3.6. Data protection and economic interests	78	
2	DATA	PROTECTION TERMINOLOGY	81	
	2.1.	Personal data	83	
	Кеу р	points	83	
		2.1.1. Main aspects of the concept of personal data	83	
		2.1.2. Special categories of personal data	96	
	2.2.	Data processing		
	Key p	Key points		
		2.2.1. The concept of data processing		
		2.2.2. Automated data processing		
		2.2.3. Non-automated data processing		
	2.3.	Users of personal data		
	Kev n	oints	101	

	2.3.1. Controllers and processors	101
	2.3.1. Controllers and processors	110
		111
	2.4. Consent	111
	Rey points	115
3	KEY PRINCIPLES OF EUROPEAN DATA PROTECTION LAW	117
	3.1. The lawfulness, fairness and transparency of processing principles	117
	Key points	117
	3.1.1. Lawfulness of processing	110
	3.1.2. Fairness of processing	118
	3.1.3. Transparency of processing	119
	3.2. The principle of purpose limitation	122
	Key points	122
	3.3. The data minimisation principle	125
	Key points	125
	3.4. The data accuracy principle	127
	Key points	127
	3.5. The storage limitation principle	
	Key points	129
	3.6. The data security principle	
	Key points	
	3.7. The accountability principle	
	Key points	134
4	RULES OF EUROPEAN DATA PROTECTION LAW	
	4.1. Rules on lawful processing	
	Key points	141
	4.1.1. Lawful grounds for processing data	142
	4.1.2. Processing special categories of data (sensitive data)	
	4.2. Rules on security of processing	
	Key points	
	4.2.1. Elements of data security	
	4.2.2. Confidentiality	169
	4.2.3. Personal data breach notifications	171
	4.3. Rules on accountability and promoting compliance	174
	Key points	174
	4.3.1. Data Protection Officers	175
	4.3.2. Records of processing activities	172
	4.3.3. Data protection impact assessment and prior consultation	170
	4.3.4. Codes of conduct	1/7
	4.3.5. Certification	101
	4.4. Data protection by design and by default	 107

5	INDEPENDENT SUPERVISION		187
	Key points		188
	5.1. Independence		191
	5.2. Competence and powers		194
	5.4. The European Data Protec	tion Board	199
	5.5. The GDPR Consistency Me	chanism	201
6		IR ENFORCEMENT	
	6.1. The rights of data subjects		206
	6.1.1. Right to be informed		207
		ight to be forgotten')	
	6.1.4. Right to restriction of p	rocessing	227
		у	
		decision-making, including profiling	
		es and compensation	
		aint with a supervisory authority	
	<u>-</u>	dicial remedy	
	6.2.3. Liability and the right t	o compensation	246
	6.2.4. Sanctions		247
7		S AND FLOWS OF PERSONAL DATA	
		ansfers	
			250
		ersonal data between Member States or	254
	Key points		251
		third countries/non-parties or to	
		of an adequacy decision	
		propriate safeguards	
		situations	
	7.3.4. Transfers based on inte	rnational agreements	265
8		T OF POLICE AND CRIMINAL JUSTICE	271
	8.1. CoE law on data protection	and national security, police and	
	criminal justice matters		273

	Key points	.273
	8.1.1. The police recommendation	275
	8.1.2. The Budapest Convention on Cybercrime	279
	and criminal justice matters	.280
	8.2. EU law on data protection in police and criminal justice matters Key points	.280
	8.2.1. The Data Protection Directive for Police and Criminal Justice Authorities 8.3. Other specific legal instruments on data protection in law	281
	enforcement matters	.291
	8.3.1. Data protection in EU judicial and law enforcement agencies	300
	8.3.2. Data protection in EU-level joint information systems	308
9	SPECIFIC TYPES OF DATA AND THEIR RELEVANT DATA PROTECTION RULES	
•	9.1. Electronic communications	.326
	Key points	.326
	9.2. Employment data	.330
	Key points	330
	9.3. Health data	335
	Key point	
	9.4. Data processing for research and statistical purposes	
	Key points	339
	9.5. Financial data	.343
	Key points	343
10	MODERN CHALLENGES IN PERSONAL DATA PROTECTION	347
	10.1. Big data, algorithms and artificial intelligence	
	Key points	
	10.1.1. Defining big data, algorithms and artificial intelligence	
	10.1.2. Balancing the benefits and risks of big data	352
	10.1.3. Data protection-related issues	355
	10.2. The webs 2.0 and 3.0: social networks and Internet of Things	360
	Key points	360
	10.2.1. Defining webs 2.0 and 3.0	36
	10.2.2. Balancing benefits and risks	363
	10.2.3. Data protection-related issues	36
FU	RTHER READING	37
	SELAW	270
	Selected case law of the European Court of Human Rights	270
	Selected case law of the Court of Justice of the European Union	ン/: 125
INI	DEX	