

None of



**World Data Flows,
Electronic Commerce,
and the European
Privacy Directive**

your business

PETER P. SWIRE & ROBERT E. LITAN

None Of Your Business World Data Flows Electronic Commerce And The European Privacy Directive

John Dickie



None Of Your Business World Data Flows Electronic Commerce And The European Privacy Directive:

None of Your Business Peter P. Swire, Robert E. Litan, 2010-12-01 The historic European Union Directive on Data Protection will take effect in October 1998 A key provision will prohibit transfer of personal information from Europe to other countries if they lack adequate protection of privacy If enforced as written the Directive could create enormous obstacles to commerce between Europe and other countries such as the United States that do not have comprehensive privacy statutes In this book Peter Swire and Robert Litan provide the first detailed analysis of the sector by sector effects of the Directive They examine such topics as the text of the Directive the tension between privacy laws and modern information technologies issues affecting a wide range of businesses and other organizations effects on the financial services sector and effects on other prominent sectors with large transborder data flows In light of the many and significant effects of the Directive as written the book concludes with detailed policy recommendations on how to avoid a coming trade war with Europe The book will be of interest to the wide range of individuals and organizations affected by the important new European privacy laws More generally the privacy clash discussed in the book will prove a major precedent for how electronic commerce and world data flows will be governed in the Internet Age

Reinventing Data Protection? Serge Gutwirth, Yves Pouillet, Paul de Hert, Cécile de Terwangne, Sjaak Nouwt, 2009-05-24 data Furthermore the European Union established clear basic principles for the collection storage and use of personal data by governments businesses and other organizations or individuals in Directive 95 46 EC and Directive 2002 58 EC on Privacy and Electronic communications Nonetheless the twenty first century citizen utilizing the full potential of what ICT technology has to offer seems to develop a digital persona that becomes increasingly part of his individual social identity From this perspective control over personal information is control over an aspect of the identity one projects in the world The right to privacy is the freedom from unreasonable constraints on one's own identity Transaction data both traffic and location data deserve our particular attention As we make phone calls send e mails or SMS messages data trails are generated within public networks that we use for these communications While traffic data are necessary for the provision of communication services they are also very sensitive data They can give a complete picture of a person's contacts habits interests activities and whereabouts Location data especially if very precise can be used for the provision of services such as route guidance location of stolen or missing property tourist information etc In case of emergency they can be helpful in dispatching assistance and rescue teams to the location of a person in distress However processing location data in mobile communication networks also creates the possibility of permanent surveillance

European Community Law for the New Economy Lucas Bergkamp, 2003 The European Community EC has embarked on an ambitious legislative program for the new economy In *European Community Law for the New Economy* professor Lucas Bergkamp analyzes the EC's current and proposed new economy legislation The new economy according to Bergkamp is not only the internet the information society and biotechnology but also a different kind of old economy a different kind of corporate

governance and a different kind of government Accordingly in addition to the EC e commerce data protection and biotechnology legislation this book discusses also the grand principles of EC policy making such as sustainable development and the precautionary principle the theory of corporate social responsibility and EC government reform With its wide ranging insightful and engaging analyses and devoid of obliquity EC Law for the New Economy is a unique publication This book must be read by everybody who wants to gain a deeper understanding of the effects of EC legislation the root causes of regulatory failures and possible solutions to these problems It is of interest to lawyers politicians policy makers government officials political scientists advanced students and autodidacts Lucas Bergkamp is a lawyer at the Brussels Bar and Professor of International Liability Law Erasmus University Rotterdam The Netherlands

Producers and Consumers in EU E-Commerce Law John Dickie, 2005-07-24 Producers and Consumers in EU E Commerce Law argues that the European Union is failing adequately to protect consumers critical interests in the area of e commerce The book compares the Union s close protection of producers critical interests in e commerce considered in terms of authorship and of domain identity with its faltering steps towards protection of consumers corresponding interests considered in terms of fair trading privacy and on behalf of children morality The book assesses the threats posed to those interests the extent to which self help can and does neutralise those threats and as regards any gaps left the extent to which the Union has stepped into the breach The argument is important given that surveys show low levels of consumer confidence in European cross border e commerce a motor of integration par excellence

Governing Cross-Border Data Flows Svetlana Yakovleva, 2024-02-27 Governing Cross Border Data Flows explores how the European Union can simultaneously reconcile and pursue two important legal and policy objectives namely protecting fundamental rights guaranteed under the EU Charter of Fundamental Rights EU Charter concerning privacy and personal data while also maintaining and developing a binding rules based global trading system to ensure appropriate access to foreign digital markets for EU businesses The book demonstrates a significant conflict between international trade law and European data privacy law when it comes to the governance of cross border flows of personal data To resolve the tensions caused by this clash the book proposes concrete and detailed ways to ameliorate the situation from both ends international trade and personal data protection specifically through reforms of both international trade and chapter V of the General Data Protection Regulation GDPR To explain how such reforms could be effectuated Yakovleva examines the role of discourse in the evolution of trade law in the last two decades The book also paves the way for the further research necessary to design a fully fledged reform proposal of the EU framework for the transfer of personal data outside the European Economic Area

Internet and Electronic Commerce Law in the European Union John Dickie, 1999-08-01 This book outlines and analyses the legislative activity of the Union in an area which is currently experiencing exponential growth in terms of both commercial activity and legal significance The scope of the book is current pending and proposed Internet related law on contracts copyright data protection commercial communications financial services electronic cash

and electronic signatures John Dickie argues that the Union is in the process of displacing Member State autonomy in the regulation of the Internet Within that frame it is argued that there is a lack of focus on the individual in the electronic marketplace and a lack of co ordination between relevant legislative instruments This book will be of interest to all those engaged with Union and Internet law including lawyers policy makers and academics **Dispute Resolution in Electronic Commerce** Yun Zhao,2005-06-01 **The New Legal Framework for E-Commerce in Europe** Lilian Edwards,2005-12-19 This collection of essays by well known specialists in e commerce and Internet law drawn from both academe and practice analyses recent crucial legislation which has created for the first time a legal regime governing European electronic commerce The central focus is on the European Electronic Commerce Directive and its implementation in the UK since August 2002 The E Commerce Directive develops a distinctive European strategy for regulating and promoting on line business and the information society Areas of the Directive analysed include contracting on line Internet service provider liability consumer privacy including spam and cookies country of origin regulation and on line alternative dispute resolution ODR Further chapters move beyond the Directive to discuss other important new laws in this domain including the Privacy and Electronic Communications Directive the Distance Selling Directives the Electronic Money Directive the Lawful Business regulations on employee surveillance the disability discrimination rules affecting websites and the extension of VAT to on line transactions Both the European framework and the rules as implemented in the UK are examined and critiqued for how well they meet the needs of business and consumers *The Resurgence of the State* Myriam Dunn Cavelty,Sai Felicia Krishna-Hensel,Victor Mauer,2007 Do information and communication technologies networks really lead to a weakening of the nation state This volume revisits the retreat of the state thesis and tests its validity in the 21st century It will intrigue the reader with expert level analysis providing historical context and conceptualizing trends and social dynamics **The Privacy Fallacy** Ignacio Cofone,2023-11-30 Uncovers why privacy laws fail at protecting us from corporate data harms and charts a path for reform *Social Responsibility in the Information Age* Gurpreet Dhillon,2003-01-01 Information technology is analyzed in terms of who is affected and what impact those changes have on society in this examination of the social challenges of the modern era The effects of information resource management information technology and information systems are discussed in contexts such as business government and human relationships Policies on e commerce taxation Internet privacy and software piracy are covered **Advanced Topics in Information Resources Management, Volume 2** Khosrow-Pour, D.B.A., Mehdi,2002-07-01 Advanced Topics in Information Resources Management is a series of books that features the most current research findings in all aspects of information resources management From successfully implementing technology change to understanding the human factors in IT utilization these volumes address many of the managerial and organizational applications and implications of information technology in organizations Volume 5 provides information technology researchers scholars educators and practicing managers with the latest research on managing the

technological organizational and human aspects of information utilization and management This volume presents current trends and challenges in implementing and strengthening information resources strategies in organizations worldwide

Common Goods Adrienne Windhoff-Héritier, 2002 Offers a systematic analysis of institutional solutions for providing common goods showing how hierarchies established over centuries of nation state rule are obsolete while negotiation and self regulation have grown in importance Contributors include international scholars in the fields of sociology economics political science and other fields Annotation copyrighted by Book News Inc Portland OR

Information Technology Law Diane Rowland, 2005 Diane Rowland examines recent developments in criminal law tort contract law and intellectual property rights law that have taken place in response to technological advances and innovations

Ethical Issues of Information Systems Salehnia, Ali, 2001-07-01 Understanding appreciating and taking corrective steps to maintain and enhance social and ethical responsibility in the information age is important not only because of our increased dependence on information and communication technologies but also because information and communication technologies pose complex challenges Ethical Issues of Information Systems strives to address these pertinent issues This scholarly and academic book provides insight on many topics of debate and discussion in the field and lends the most recent research in the field of IT ethics and social responsibility

Information Technology Law Uta Kohl, Andrew Charlesworth, 2013-03-01 This fourth edition of Information Technology Law has been completely revised in the light of developments within the field since publication of the first edition in 1997 Now dedicated to a more detailed analysis of and commentary on the latest developments within this burgeoning field of law this new edition is an essential read for all those interested in the interface between law and technology and the effect of new technological developments on the law New additions to the fourth edition include analysis of regulatory issues and jurisdictional questions specific consideration of intermediary liability developments in privacy and data protection extension of computer crime laws developments in software patents open source software and the legal implications

Obscene Material Available Via the Internet United States. Congress. House. Committee on Commerce. Subcommittee on Telecommunications, Trade, and Consumer Protection, 2000

Privacy in the Information Society Philip Leith, 2016-12-05 Information society projects promise wealth and better services to those countries which digitise and encourage the consumer and citizen to participate As paper recedes into the background and digital data becomes the primary resource in the information society what does this mean for privacy Can there be privacy when every communication made through ever developing ubiquitous devices is recorded Data protection legislation developed as a reply to large scale centralised databases which contained incorrect data and where data controllers denied access and refused to remedy information flaws Some decades later the technical world is very different one and whilst data protection remains important the cries for more privacy oriented regulation in commerce and eGov continue to rise What factors should underpin the creation of new means of regulation The papers in this collection have been drawn together to develop the

positive and negative effects upon the information society which privacy regulation implies **The Oxford Handbook of Information and Communication Technologies** Robin Mansell, 2007 The production and consumption of information and communication technologies or ICTs are becoming deeply embedded within our societies The influence and implications of this have an impact at a macro level in the way our governments economies and businesses operate and at a micro level in our everyday lives This handbook is about the many challenges presented by ICTs It sets out an intellectual agenda that examines the implications of ICTs for individuals organizations democracy and the economy Explicitly interdisciplinary and combining empirical research with theoretical work it is organised around four themes covering the knowledge economy organizational dynamics strategy and design governance and democracy and culture community and new media literacies It provides a comprehensive resource for those working in the social sciences and in the physical sciences and engineering fields with leading contemporary research informed principally by the disciplines of anthropology economics philosophy politics and sociology *European and International Media Law* Jan Oster, 2017 This unique textbook offers a comprehensive overview of European and international media law and how globalised communication has shaped it

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