Record Nr. UNINA9910568241503321 Autore Bieker Felix Titolo The Right to Data Protection: Individual and Structural Dimensions of Data Protection in EU Law / / by Felix Bieker The Hague:,: T.M.C. Asser Press:,: Imprint: T.M.C. Asser Press,, Pubbl/distr/stampa 2022 **ISBN** 9789462655034 9789462655027 Edizione [1st ed. 2022.] Descrizione fisica 1 online resource (311 pages) Collana Information Technology and Law Series, , 2215-1966; ; 34 Disciplina 343.240999 Soggetti Law - Europe Information technology - Law and legislation Mass media - Law and legislation Data protection Human rights Administrative law Constitutional law **European Law** IT Law, Media Law, Intellectual Property Data and Information Security **Human Rights** Administrative Law Constitutional Law Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Includes bibliographical references (pages 277-295) and index. Nota di bibliografia Nota di contenuto Chapter 1. Introduction -- Chapter 2. EU Data Protection Legislation --Chapter 3. The Right to Data Protection: The Jurisprudence of the CJEU -- Chapter 4. The Right to Data Protection: The Current Doctrinal Discourse -- Chapter 5. The Right to Data Protection: The Dualistic

Approach -- Table of Cases -- Bibliography -- Index.

This book advances an approach that combines the individual and the structural, systemic dimensions of data protection. It considers the right to data protection under the EU Charter and its relationship to the

Sommario/riassunto

secondary legislation. Furthermore, the case law of the Court of Justice of the EU as well as current academic conceptualizations are analysed. The author finds that current approaches invariably link data protection to privacy and often fail to address the structural implications of data processing. He therefore suggests a dualistic approach to data protection: in its individual dimension, data protection aims to protect natural persons and their rights, while the structural dimension protects the democratic society as a whole from the adverse effects of data processing. Using this approach, the full potential of an independent right to data protection can be realized. Researchers, practitioners and students will find this a valuable resource on the rationales, scope and application of data protection. Felix Bieker is Legal Researcher at the Office of the Data Protection Commissioner of Schleswig-Holstein (Unabhängiges Landeszentrum für Datenschutz) in Kiel, Germany.