



ISC 互联网安全大会



360 互联网安全中心



GDPR Enforcement and Its International Influence

The Politics of Data Regulation

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THIS PRESENTATION WILL NOT DISCUSS...



- Specific requirements for data protection included in GDPR
- Specific forms of liability and potential sanctions
- Compliance measures for businesses and other data controllers

THIS PRESENTATION WILL DISCUSS:



- How GDPR is embedded within the EU's regulatory culture
- How GDPR reflects particular EU concerns about the digital economy and digital democracy
- What this means for the enforcement of GDPR norms within Europe
- How this might influence non-EU actors

- Pursuit of human dignity
 - Data: influenced by the legacy of World War 2
- The Internal Market as core project
- Balancing of consumer interests with corporate interests
 - Particularly given the growing importance of the European Parliament
- Culture of regulatory excellence (“Brussels effect”)

- Data concerns mix political and economic concerns, and are often framed in the language of fundamental rights.
 - Economic: prevalence of US businesses, increasing power of data brokers
 - Political: potential harm to the functioning of democratic system (Brexit)
- Consequence: GDPR aims for balance between power of users and data controllers, and limits particular forms of data use.

- GDPR sanctions provisions appear fearsome, but:
 - Enforcement landscape is fragmented between national regulators
 - These are often underfunded and underresourced
 - There is hope that GDPR itself will already create a certain deterrent effect
 - Many provisions remain to be tested in practice, and are subject to technological development
- Consequently, GDPR enforcement must not only be seen in light of its text, but in the priorities of enforcement bodies.

- “Brussels effect”: it is hoped that GDPR will become a de facto global best practice
- GDPR has already informed data protection laws elsewhere (including China)
- What with “de minimis” data use in the EU?
- How far does Brussels’ arm reach?



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