



STUDY PROGRAMME

ELEA

ACADEMIC YEAR

2019-2020

SEMESTER

2

COURSE TITLE

Law and Economics of Data Protection and Privacy

COURSE PROFESSORS

ANDREA RENDA & ORLA LYNSKEY

COURSE ASSISTANT

FERNANDO VILLAMON

NATURE OF COURSE

COMPULSORY

LANGUAGE OF INSTRUCTION

ENGLISH

ECTS CREDITS

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1. COURSE OBJECTIVES

This course aims to provide participants with a basic understanding of the key legal and economic concepts relevant to the regulation of personal data processing in the digital environment. Participants are encouraged to use this understanding to analyse critically existing data governance mechanisms in the European Union and to assess alternative regulatory responses.

2. LEARNING OUTCOMES

Upon completion of the course, students should have achieved the following outcomes:

- Understand foundational legal and economic concepts relevant to data governance in the European Union;
- Apply the relevant legal framework (in particular, the General Data Protection Regulation) to distinct factual scenarios and case studies;
- Situate EU data protection law and policy within the broader EU legal order and examine the implications of this setting for data protection policy;
- Analyse existing regulatory responses to data processing through an economic lens (in particular, behavioural economic lens);
- Identify the limitations of economic analysis in context of a legislative framework anchored in fundamental rights;
- Critically consider alternatives to the existing legal and regulatory frameworks in light of the



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course materials.

ECTS CARD

The learning outcomes for this course tie in with the following learning outcomes for the European Economic Studies programme:

- Use economic theory to assess current problems and policies, with specific relationship to data protection
- Understand the normative assumptions, implications and limitations of economic theory and economic policy making.
- Integrate knowledge of related disciplines (e.g. EU law, but also machine learning and computer science) into the domain-specific knowledge of the economics of digital innovation.
- Demonstrate knowledge of the European Union's institutions, competences and substantive principles; as well as their interaction with Member States' legislative powers, and private governance.
- Think innovatively and provide constructive analytical commentary on how the evolution of EU rules and policies may impact on future market development.
- Describe, explain and illustrate the core normative assumptions, implications and limitations of legal theory and political science theory related to economics.
- Use knowledge of economics, legal principles, strategic management and political science to analyse contemporary public policy problems.
- Work together in groups to solve problems, share tasks, prepare assignments, go through case studies and make presentations.
- Recognise, analyse, explain and critique economic developments and economic policies in Europe.
- Find, select, critically evaluate and use references, data and other sources of information within a short amount of time.

3. COURSE CONTENTS

This course will be taught over four sessions.

Sessions 1 and 2 (Dr Lynskey) will provide participants with an introduction to the relevant legal framework governing personal data processing in the EU. During session 1 participants will discuss the scope of application of the EU data protection framework; the rights this framework bestows on individuals and the responsibilities it entails for those who process personal data. Session 2 will require participants to attend panels III and IV of the Law Department's annual conference. This year's theme is 'Democracy and Human Rights in the Digital Age: Fundamental Reflections'.

Sessions 3 and 4 (Professor Renda) will analyse core aspects of data governance from an economic perspective. Participants will consider the basic economics of information and data; examine data protection law through a behaviour economic lens; discuss the relationship between GDPR and the emerging EU Trustworthy AI policy; and consider how to empower individuals in an information-rich era.



4. TEACHING METHOD

The teaching will be delivered in the form of socratic seminars. Participants are required to have completed the relevant readings before the seminar and will be asked for their input on key descriptive and normative issues throughout the seminars.

5. COURSE MATERIAL

Lectures and papers to be distributed before class to the students. The complete reading list will be made available on the course intranet page.

6. EVALUATION

The final grade of the course will be composed of: 100% written open book exam. The evaluation will be based on an open-book written exam, three hours in length, which will take place during the first examination session. The exam paper will consist of five questions of which participants must answer three. The paper will contain a mixture of problem and essay questions.