

# EU digital strategy: intro

Elisa Spiller, Ph.D.

University of Padova | Dept. of Mathematics

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# Learning objectives

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1. What is a **POLICY STRATEGY**?
2. The **EU DIGITAL STRATEGY**
3. **DATA**: a legal approach



# 1. From tech to law

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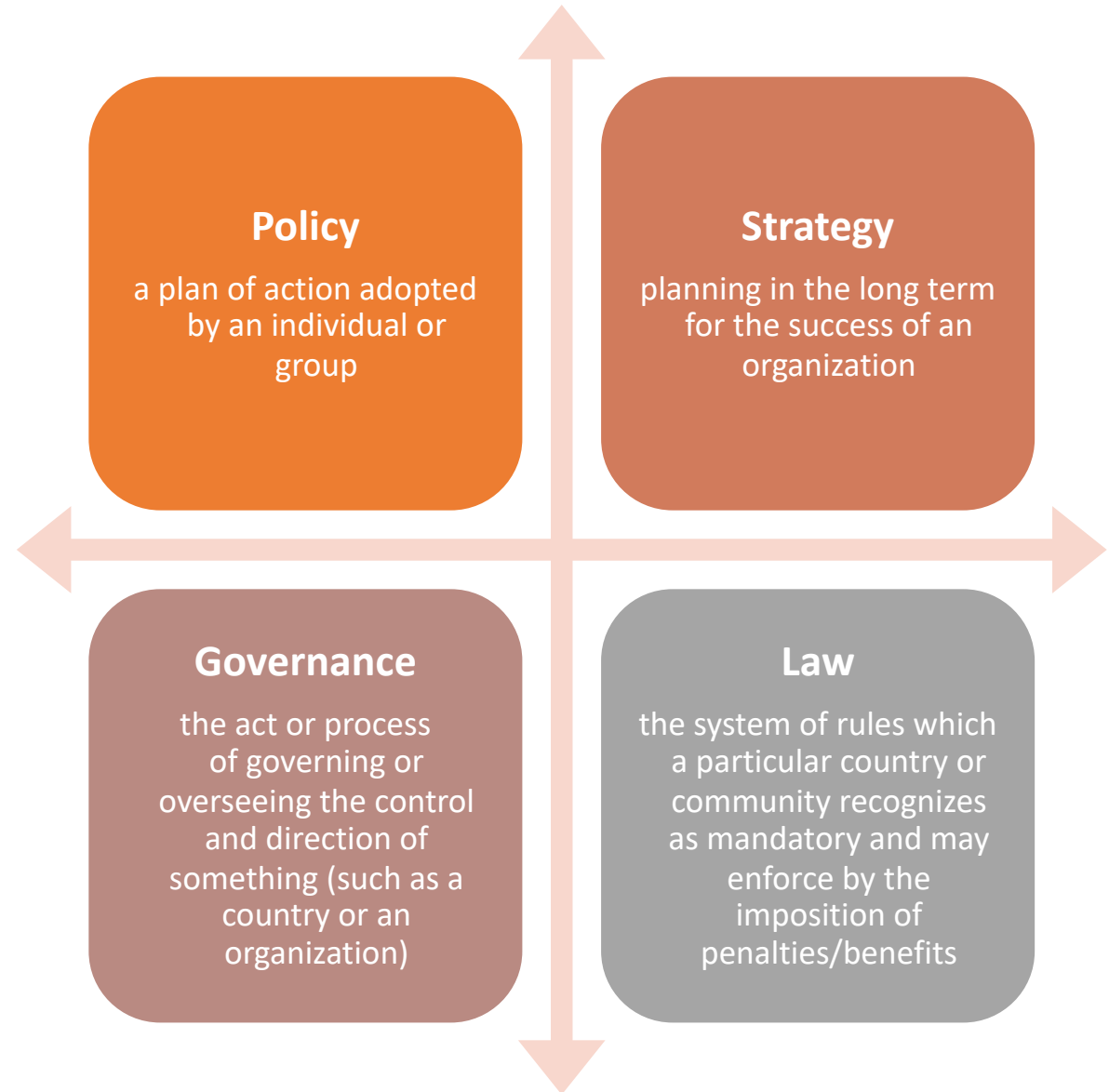


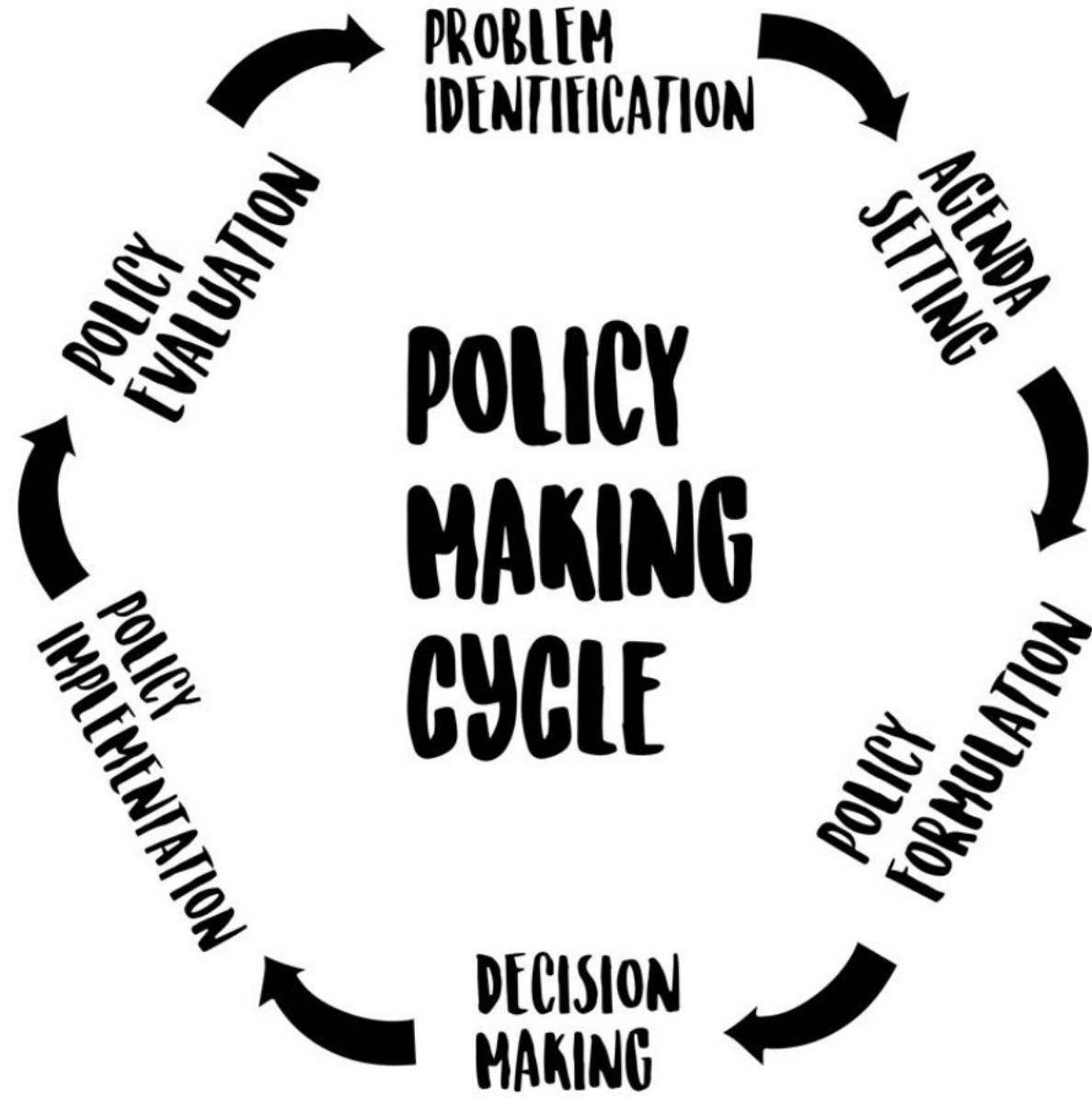




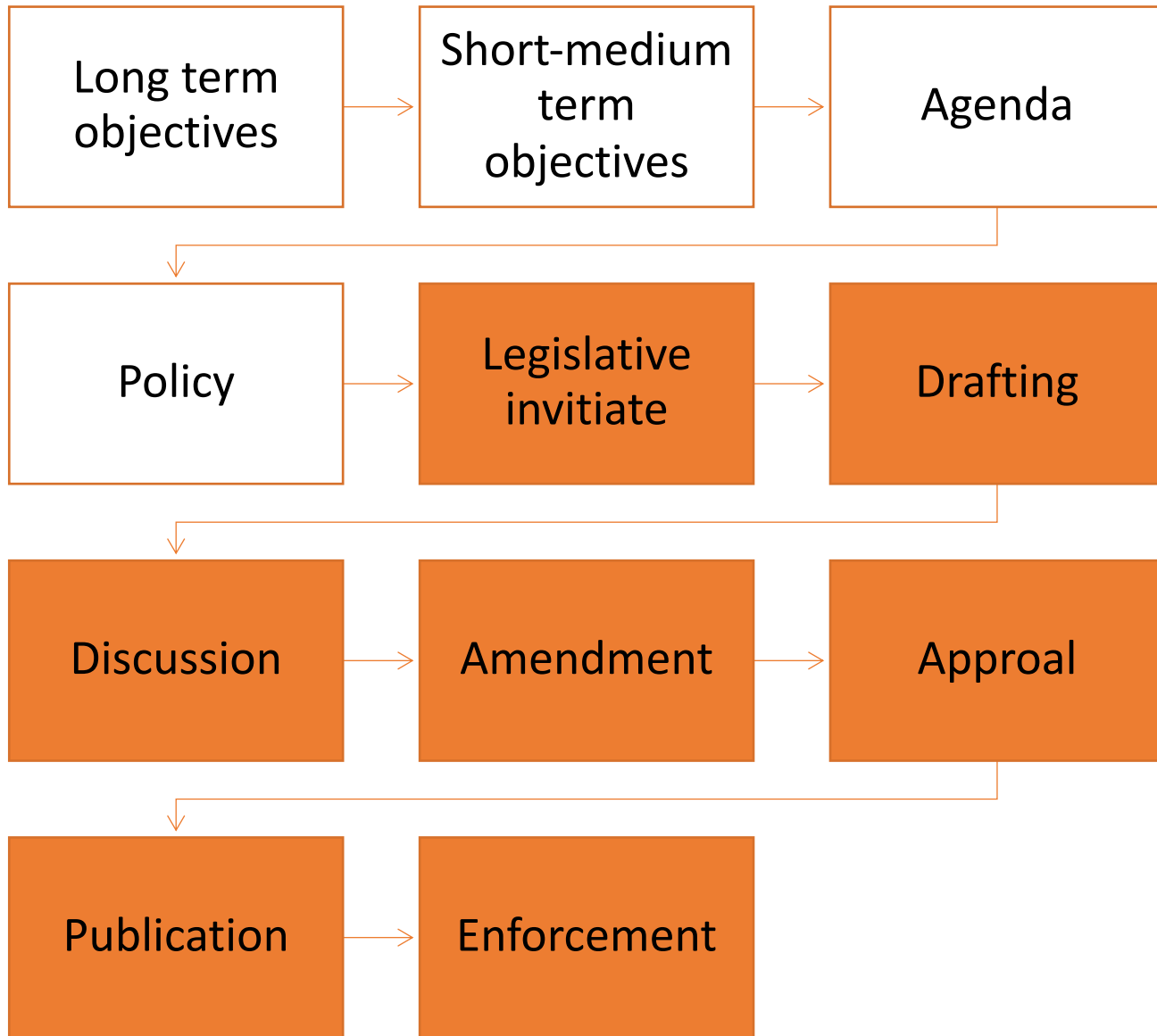
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# Some PRELIMINARY NOTIONS









**From  
strategy,  
to POLICY,  
to LAW**



## 2. The EU DIGITAL STRATEGY

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ANU BRADFORD

# The Brussels Effect

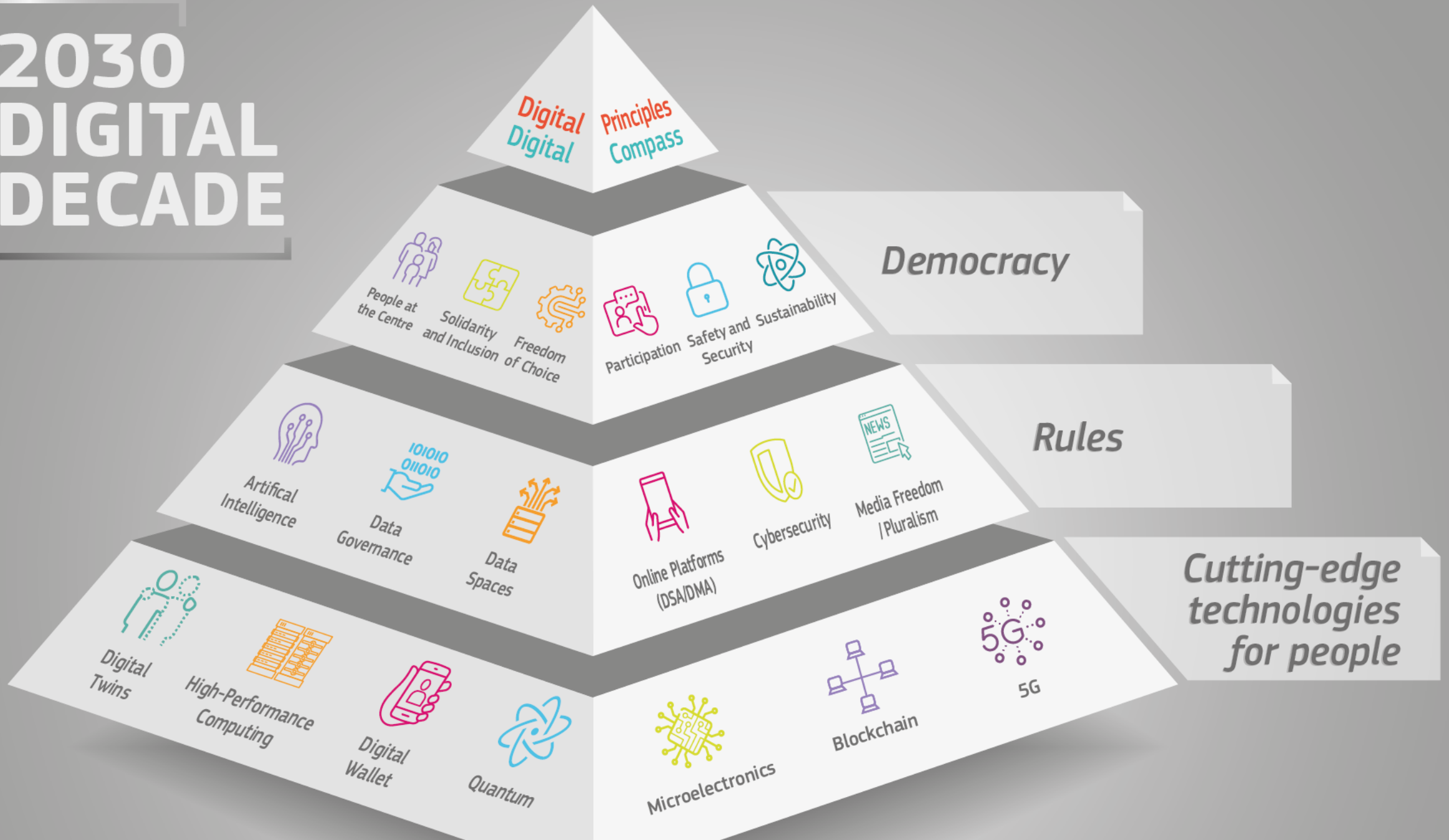
HOW THE EUROPEAN UNION  
RULES THE WORLD







# 2030 DIGITAL DECADE



## Skills

**ICT Specialists:** 20 million + Gender convergence

**Basic Digital Skills:** min 80% of population



## Public Services

**Key Public Services:** 100% online

**e-Health:** 100% availability medical records

**Digital Identity:** 80% citizens using digital ID

## Infrastructures

**Connectivity:** Gigabit for everyone, 5G everywhere

**Cutting edge Semiconductors:** double  
EU share in global production

**Data – Edge & Cloud:** 10,000 climate  
neutral highly secure edge nodes

**Computing:** first computer with quantum acceleration

## Business

**Tech up-take:** 75% of EU companies using Cloud/AI/Big Data

**Innovators:** grow scale ups & finance to double EU Unicorns

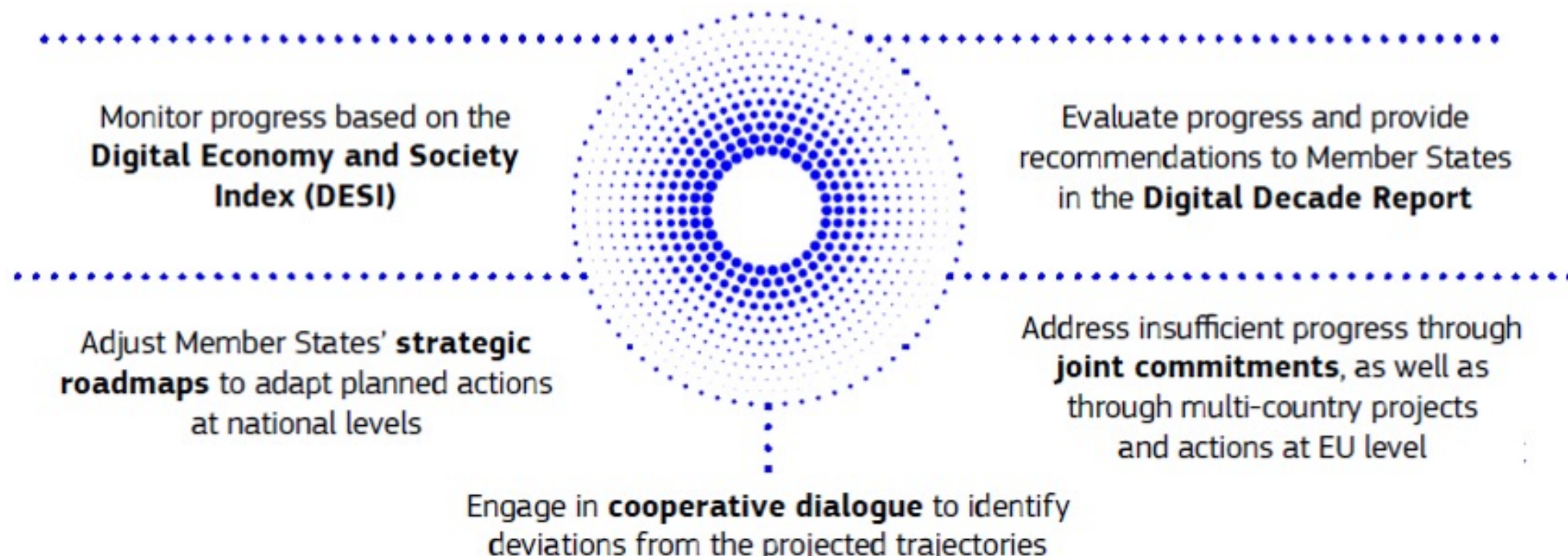
**Late adopters:** more than 90% of European SMEs reach  
at least a basic level of digital intensity

To monitor and evaluate progress leading to 2030

the Commission will develop **EU-level trajectories** for each target together with the Member States

the Member States will then draft **national trajectories** and **strategic roadmaps** to attain the targets

### COOPERATION CYCLE:





### SOLIDARITY AND INCLUSION

Technology should **unite, not divide, people**. Everyone should have access to the internet, to digital skills, to digital public services, and to fair working conditions.



### PEOPLE AT THE CENTRE

Digital technologies should **protect people's rights, support democracy, and ensure that all digital players act responsibly and safely**. The EU promotes these values across the world.



### SUSTAINABILITY

Digital devices should support **sustainability and the green transition**. People need to know about the environmental impact and energy consumption of their devices.



### FREEDOM OF CHOICE

People should benefit from a **fair online environment, be safe from illegal and harmful content**, and be empowered when they interact with new and evolving technologies like artificial intelligence.



### PARTICIPATION

Citizens should be able to **engage in the democratic process** at all levels, and have **control over their own data**.



### SAFETY AND SECURITY

The digital environment should be **safe and secure**. All users, from childhood to old age, should be empowered and protected.

# EU Digital Principles



# 1 STRATEGY

# 4 PILLARS



## Advanced Digital Technologies

- [Advanced computing](#)
- [Advanced digital technologies](#)
- [Artificial intelligence](#)
- [Data and cloud computing](#)
- [Internet of Things](#)



## Digital Society

- [Cybersecurity](#)
- [Digital inclusion](#)
- [Digital public services and environments](#)
- [Green digital sector](#)
- [Language technologies](#)
- [Media and digital culture](#)
- [Next Generation Internet](#)
- [Online privacy and safety](#)



## International Cooperation in Digital

- [International relations](#)
- [Digital in the Trade and Technology Council](#)



## Digital Economy

- [Digital skills](#)
- [Supporting industry](#)
- [Connectivity](#)
- [Online platforms and e-commerce](#)



## **3. DATA:**

**the EU law approach**

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# What is DATA?

1. : factual information (such as measurements or statistics) used as a basis for reasoning, discussion, or calculation
2. : information in digital form that can be transmitted or processed
3. : information output by a sensing device or organ that includes both useful and irrelevant or redundant information and must be processed to be meaningful

<https://www.merriam-webster.com/dictionary/data>

# What **LAW** does...

when the **law** speaks (by mouth of the administration, the court, or the legislature) it actually **performs what it says**

when the **law** speaks (by mouth of the administration, the court, or the legislature) produces **mandatory consequences (protection, power, limitations)**

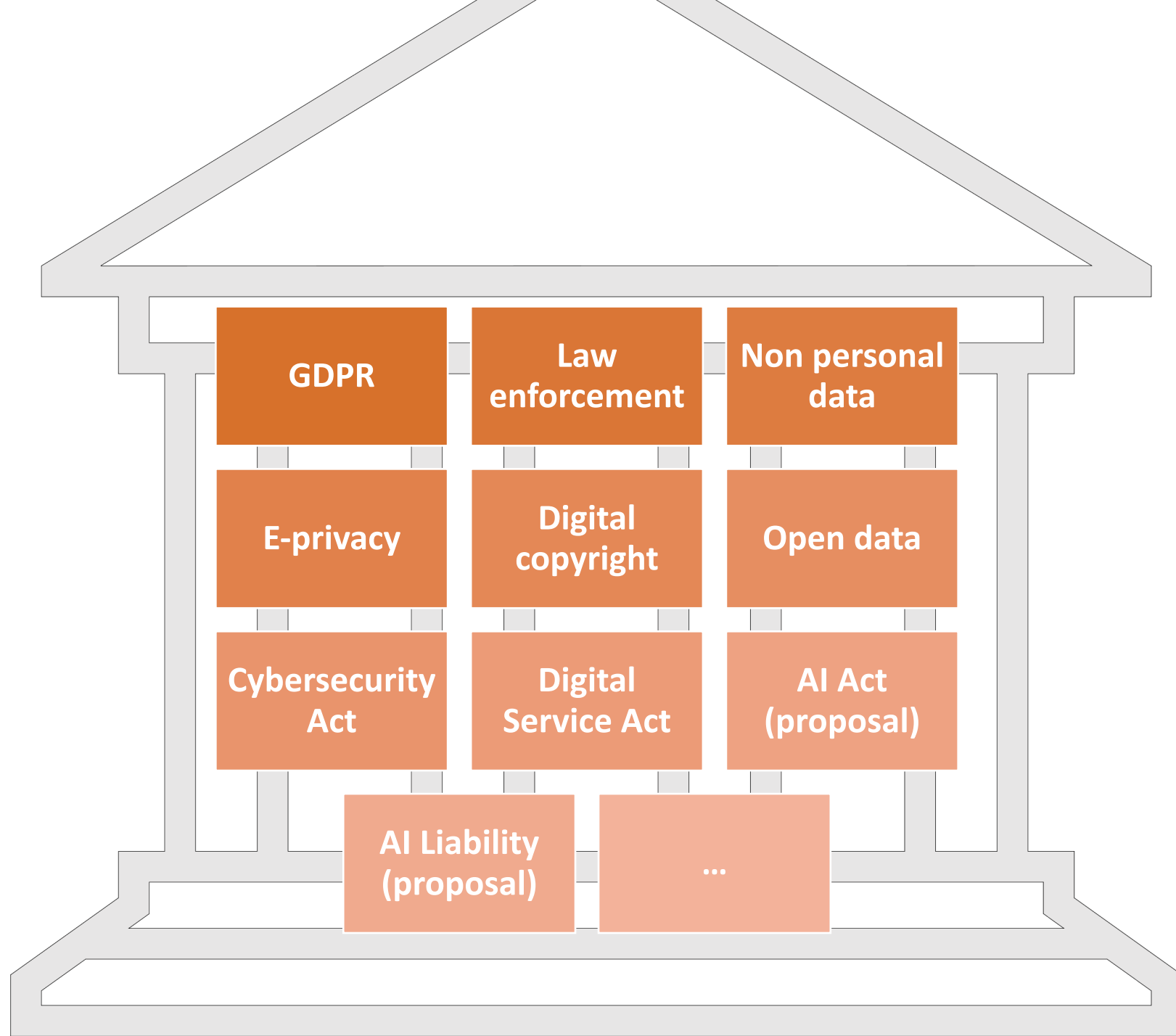
when the **law** speaks (by mouth of the administration, the court, or the legislature) aims to be **certain (and equal)**



# How to approach EU (DATA) LAW



# EU (DATA) normative architecture





# EU (DATA) LAW



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**FROM THEORY TO PRACTICE**

<i>CHAPTER III - Rights of the data subject</i>
Section 1 - Transparency and modalities
Section 2 - Information and access to personal data
Section 3 - Rectification and erasure
Section 4 - Right to object and automated individual decision-making
Section 5 - Restrictions
<i>CHAPTER IV - Controller and processor</i>
Section 1 - General obligations
Section 2 - Security of personal data
Section 3 - Data protection impact assessment and prior consultation
Section 4 - Data protection officer
Section 5 - Codes of conduct and certification
<i>CHAPTER V - Transfers of personal data to third countries or international organisations</i>

**on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)**

**structure**

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,  
 Having regard to the Treaty on the Functioning of the European Union, and in particular Article 16 thereof,  
 Having regard to the proposal from the European Commission,  
 After transmission of the draft legislative act to the national parliaments,  
 Having regard to the opinion of the European Economic and Social Committee <sup>(1)</sup>,  
 Having regard to the opinion of the Committee of the Regions <sup>(2)</sup>,  
 Acting in accordance with the ordinary legislative procedure <sup>(3)</sup>,

Whereas:

- (1) The protection of natural persons in relation to the processing of personal data is a fundamental right. Article 8(1) of the Charter of Fundamental Rights of the European Union (the 'Charter') and Article 16(1) of the Treaty on the Functioning of the European Union (TFEU) provide that everyone has the right to the protection of personal data concerning him or her.
- (2) The principles of, and rules on the protection of natural persons with regard to the processing of their personal data should, whatever their nationality or residence, respect their fundamental rights and freedoms, in particular their right to the protection of personal data. This Regulation is intended to contribute to the accomplishment of an area of freedom, security and justice and of an economic union, to economic and social progress, to the strengthening and the convergence of the economies within the internal market, and to the well-being of natural persons.
- (3) Directive 95/46/EC of the European Parliament and of the Council <sup>(4)</sup> seeks to harmonise the protection of fundamental rights and freedoms of natural persons in respect of processing activities and to ensure the free flow of personal data between Member States.

(4) The processing of personal data should be designed to ensure marketing. The right to the protection of personal data is not



**on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)**

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After transmission of the draft legislative act to the national parliaments,

legal basis & competences

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## *CHAPTER I - General provisions*

### *CHAPTER II - Principles*

### *CHAPTER III - Rights of the data subject*

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### *CHAPTER V - Transfers of personal*

(173) This Regulation should apply to all matters concerning the protection of fundamental rights and freedoms *vis-à-vis* the processing of personal data which are not subject to specific obligations with the same objective set out in Directive 2002/58/EC of the European Parliament and of the Council <sup>(18)</sup>, including the obligations on the controller and the rights of natural persons. In order to clarify the relationship between this Regulation and Directive 2002/58/EC, that Directive should be amended accordingly. Once this Regulation is adopted, Directive 2002/58/EC should be reviewed in particular in order to ensure consistency with this Regulation,

HAVE ADOPTED THIS REGULATION: **articles (binding)**

## **CHAPTER I**

### **General provisions**

#### *Article 1*

#### **Subject-matter and objectives**

1. This Regulation lays down rules relating to the protection of natural persons with regard to the processing of personal data and rules relating to the free movement of personal data.
2. This Regulation protects fundamental rights and freedoms of natural persons and in particular their right to the protection of personal data.
3. The free movement of personal data within the Union shall be neither restricted nor prohibited for reasons connected with the protection of natural persons with regard to the processing of personal data.

#### *Article 2*

#### **Material scope**

1. This Regulation applies to the processing of personal data wholly or partly by automated means and to the processing other than by automated means of personal data which form part of a filing system or are intended to form part of a filing system.
2. This Regulation does not apply to the processing of personal data:

(a) in the course of an activity which falls outside the scope of Union law;