



Exchange programme Vrije Universiteit Amsterdam

Vrije Universiteit Amsterdam - Exchange programme Vrije Universiteit Amsterdam - 2024-2025

Exchange

Vrije Universiteit Amsterdam offers many English-taught courses in a variety of subjects, ranging from arts & culture and social sciences, neurosciences and computer science, to economics and business administration.

The International Office is responsible for course approval and course registration for exchange students. For details about course registration, requirements, credits, semesters and so on, please [visit the exchange programmes webpages](#).

Data, Privacy, and Human Rights

Course Code	R_BDHR
Credits	6
Period	P4
Course Level	500
Language Of Tuition	English
Faculty	Faculty of Law
Course Coordinator	mr. dr. S.J. Eskens
Examiner	mr. dr. S.J. Eskens
Teaching Staff	mr. dr. S.J. Eskens
Teaching method(s)	Lecture, Seminar

Course Objective

This course teaches European privacy and data protection law. The legal right to privacy and especially the right to data protection are relatively recent inventions. These rights protect citizens against public and private power to monitor and track people and take decisions about them. Data protection law is special because it stimulates the use of personal data, in addition to protecting citizens against data processing by the government and big tech.

In this course, we discuss the main European legal frameworks for privacy and data protection. The course gives an overview of the structure of the most important laws in this field and invites students to take a position in current discussions, such as the question whether it is possible to freely give consent for the processing of your personal data online and whether large-scale scanning of online communications is justified to detect child sexual abuse material.

Privacy and data protection are protected as fundamental rights in the Charter of Fundamental Rights of the EU. The right to the protection of personal data is developed in secondary EU legislation. There are several secondary data protection instruments, including, among other things, the General Data Protection Regulation (GDPR), e-Privacy Directive, Law Enforcement Directive, and Regulation for data processing by EU institutions. In addition to these EU law instruments, all EU countries are subject to the European Convention of Human Rights, which guarantees the right to privacy.

We discuss the interpretation and application of these European privacy and data protection laws and related case law of the Court of Justice of the EU and European Court of Human Rights. We also discuss interpretative guidance given by authoritative bodies in the field of European privacy and data protection law, including the European Data Protection Board, European Data Protection Supervisor, and national Data Protection Authorities.

Course Content

At the end of this course, you:

- Have a thorough understanding of the area of European privacy and data protection law, including the theoretical principles of this area of law.
- Have an understanding of the correlation between the national, supranational, and international levels of privacy and data protection law.
- Are able to assess the privacy and data protection aspects of actions by public and private actors and provide a critical assessment in light of European privacy and data protection law.
- Are able to provide a thorough analysis and critical review of legal sources and literature in the area of European privacy and data protection law.
- Are able to independently prepare and conduct legal research at an academic level in the area of European privacy and data protection law.
- Are able to present a scientific legal argument in writing in the area of European privacy and data protection law.

Additional Information Teaching Methods

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The course comprises seven lectures taught by the course coordinator and a guest lecturer.

The course also offers several seminars where we continue our discussion about questions that were introduced during the lectures. For instance, during the seminars we discuss case studies to determine whether privacy or freedom of expression should prevail when data subjects exercise their right to be forgotten.

The lectures and seminars are taught on-campus and are not recorded. After each lecture or seminar, the slides are posted on Canvas.

Method of Assessment

Examination for the course has two components: portfolio and research paper.

Throughout the course, you build a portfolio of small assignments each week. The purpose of the portfolio is to stimulate you to engage with the materials each week and explore your interests within the broad field of European privacy and data protection law. The portfolio assignments are meant to be fun, and you are encouraged to use your creativity in writing and formatting the assignments. You may write in a more personal, non-academic manner, and use images, colors and decorative elements.

You finish the course by writing a final paper on a selected topic. For the paper, you formulate a thesis statement and provide well-structured, well-argued, and legally sound argumentation in support of your thesis statement. The idea of the final paper is that you do your own research on a European privacy and data protection law topic of your interest while building on and demonstrating the knowledge you obtained through the course. The list of topics from which you must choose is uploaded to Canvas.

Literature

You do not need to buy books for this course. The weekly reading materials are announced on Canvas.

Additional Information Target Audience

The course is compulsory for students in the International Technology Law specialisation and is open to students from other specialisations in the master's of law.

Additional Information

Please read the Teaching and Examination Regulations if you are planning to follow both this course and the Dutch course 'Privacy en Gegevensbeschermingsrecht'. Specific rules might apply to your situation.

Recommended background knowledge

For this course, basic knowledge regarding EU law, particularly regulations and directives, and the European Convention on Human Rights is recommended. The Canvas page for the course provides some background reading for those not well versed in these topics.