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## Policy Analysis Paper 1

The General Data Protection Regulation (GDPR) is a cybersecurity policy and legal framework that was drafted and passed by the European Union (EU). The GDPR is the world's strongest data regulation, with 99 individual articles and coming into effect on May 25, 2018 (Burgess). I chose this policy because it is an excellent policy that ensures the protection of data and the right to privacy for the citizens of the EU.

As mentioned, the GDPR was developed, drafted, and passed by the EU. It was created in an effort to strengthen the privacy rights of EU citizens. The EU takes personal privacy and liberties very seriously, citing need for this framework because of the 1950 European Convention of Human Rights, where it was declared that "Everyone has the right to respect for his private and family life, his home and his correspondence" (Wolford). The EU wanted to uphold this value and apply it into the digital age, and thus created the GDPR.

Going into detail about the framework, it highlights several principles that ultimately define the goals of the framework. These principles are lawfulness, transparency, purpose limitation, data minimization, accuracy, storage limitation, integrity, confidentiality, and accountability (Burgess). Lawfulness and transparency states that processing of data must be lawful and transparent to the data subject. Additionally, data minimization refers to only collecting and processing as much data as necessary for purposes specified. Accuracy ensures data remains accurate and up to date. Storage limitation allows personally identifiable

information (PII) only for as long as necessary for the specified purpose. Finally, processing must be done in a way to ensure confidentiality and integrity, and data controllers are required to hold those accountable who do not follow the GDPR (Wolford).

It upholds the right to privacy in Chapter 3, Articles 12-23, "Rights of the data subject". The articles include concepts such as the right of access, meaning the data subject has the authority to access their data at any given time, for the purpose of wanting to know what a company knows about you, requesting a copy of your data, asking how a company uses your data, among other reasons (GDPR Art.15). Additionally, it outlines that data subjects have a right to erase their data for any reason, including unlawful processing, not wanting a company to have your data anymore, among other reasons (GDPR Art. 17).

The GDPR is applied and enforced strictly, as it is even enforced upon those who do business outside of the EU, only if they collect data on EU citizens. So, if an American company, like Facebook, collects data on EU citizens, they are legally required to abide by the principles of the GDPR, and Facebook can be penalized if they don't. Penalties are very high. If you violate the GDPR. There are two tiers of penalties, with the lesser severe penalty being a fine of up to 10,000,000 EUR or 2% of the companies' worldwide annual revenue, and the max penalty being a fine of up to 20,000,000 EUR or 4% of the companies' worldwide annual revenue, in both cases whichever amount is higher (GDPR Art 83).

The policy fits within an international cybersecurity policy because as mentioned previously, it was drafted for the intent of protecting and safeguarding the rights of EU citizens. It applies internationally because the GDPR punishes foreign companies who mishandle data belonging to EU citizens. Moreover, the severe punishments intended for foreign companies encourage those foreign companies to abide by the rules, essentially keeping everyone in line.

The GDPR safeguards its citizens' data and privacy extensively. The framework outlines principles such as lawfulness, transparency, purpose limitation, data misinformation, accuracy, storage limitation, integrity, confidentiality, and accountability, which all aid in keeping companies in line, and protecting citizens (Burgess). These principles are outlined explicitly, ensuring no room for loopholes, and impose severe punishments to those who do not abide. It is an excellent policy that other nations should adopt and learn from.

## Citations

1. Burgess, Matt. “What Is GDPR? The Summary Guide to GDPR Compliance in the UK.” *Wired*, Conde Nast, 24 Mar. 2020, [www.wired.com/story/what-is-gdpr-uk-eu-legislation-compliance-summary-fines-2018/](http://www.wired.com/story/what-is-gdpr-uk-eu-legislation-compliance-summary-fines-2018/).
2. GDPR. “General Data Regulation Protection Legal Text.” *General Data Protection Regulation (GDPR)*, European Union, 22 Apr. 2024, [gdpr-info.eu/](http://gdpr-info.eu/).
3. Wolford, Ben. “What Is GDPR, the EU’s New Data Protection Law?” *GDPR.Eu*, European Union, 29 Aug. 2024, [gdpr.eu/what-is-gdpr/](http://gdpr.eu/what-is-gdpr/).