



# REDALERT

## D1.6 Public Wiki on Relevant EU/national Laws and Regulations

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Report: D1.6 Public Wiki on relevant EU/national laws and regulations  
[CONTENT]

<b>Project acronym:</b>	<b>RED-Alert</b>
<b>Project full title:</b>	<b>Real-time Early Detection and Alert System for Online Terrorist Content based on Natural Language Processing, Social Network Analysis, Artificial Intelligence and Complex Event Processing</b>
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<b>Date:</b>	<b>29.12.2017</b>



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0.1	09.10.2017	Initial Draft	Sarah Cannataci; Alistair Facciol [MITLA]
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0.4	01.12.2017	Quality Check	Michael Zammit Maempel [MITLA]
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1.0	29/12/2017	Final reviewed deliverable	Adriana Prodan(SIV)

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## List of abbreviations

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<i>Abbreviation</i>	<i>Explanation</i>
<b>MITLA</b>	Malta IT Law Association
<b>U.S.</b>	United States of America
<b>EU</b>	European Union

# 1. Executive Summary

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## 1.1. Purpose

This document addresses the result of **D1.5 Review of relevant EU/national laws & regulations** that presented a study of existing and proposed legislation both at supra-national and international level in the field of law enforcement, supported by scholarly works and reports.

## 1.2. Document Scope

This document is intended to be a foundation for further discussion. In light of the fast rate of development of technology, which has surpassed the promulgation of legislation that regulates it, the different legislative documents which exist create a patchwork protective system for data made use of in technology.

It must be noted that the strategy adopted in the **D1.5 Review of relevant EU/national laws & regulations** was that of an exception-only basis, meaning that solely situations of derogations from the “norm” were highlighted; the general assumption in all other cases is that the jurisdictions that were considered for the purpose of this report were compliant and in line with the laws and regulations listed earlier. The links highlighted per relevant subject matter therefore list the main legislation which represents such norm as well as the legislation which highlighted derogations from the same. Here, it must also be noted that MITLA is not responsible for the content shown on third-party links.

The output of the research carried out in D1.5 was documented into a public wiki. In this respect this document presents the content from the Public Wiki section from the RED-Alert website.

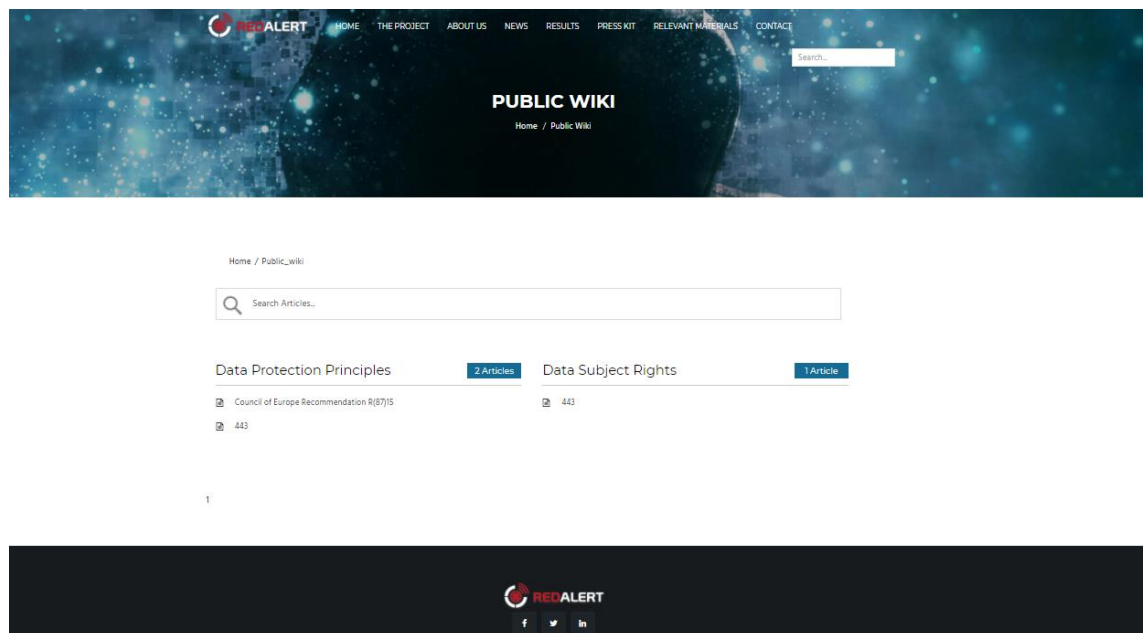
## 2. Structure of Public Wiki

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The structure of the **Public Wiki** section as available on the **RED-Alert** website as follows:

- ✓ Complete List of Legislation & Literature
- ✓ Definitions
- ✓ Data Protection Principles
- ✓ Data Subject Rights
- ✓ Data Transfer
- ✓ Notification Obligations
- ✓ Security
- ✓ Derogations
- ✓ U.S. Perspective

The link for Public Wiki Section is: [http://redalertproject.eu/public\\_wiki/](http://redalertproject.eu/public_wiki/)



**Figure 1- Public Wiki structure**



### 3. Complete List of Legislation & Literature

<i>Table of Legislation</i>	
<i>Nº</i>	<i>Legislation</i>
1	Council of Europe Recommendation R(87)15; Regulating the Use of Personal Data in the Police Sector, 17 <sup>th</sup> September 1987 – (R(87)/15); <a href="http://ec.europa.eu/justice/data-protection/law/files/coe-fra-rpt-2670-en-471.pdf">http://ec.europa.eu/justice/data-protection/law/files/coe-fra-rpt-2670-en-471.pdf</a>
2	European Parliament & Council Directive 95/46/EC on the protection of individuals with regard to the processing of personal data and on the free movement of such data, 24 <sup>th</sup> October 1995 – (Directive 95/46/EC); <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31995L0046:EN:HTML">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31995L0046:EN:HTML</a>
3	European Council Decision 2008/633/JHA concerning access for consultation of the Visa Information System (VIS) by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences, 23 <sup>rd</sup> June 2008 – (Council Decision 2008/633/JHA); <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:218:0129:0136:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:218:0129:0136:EN:PDF</a>
4	European Council Framework Decision 2008/977/JHA on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters, 27 <sup>th</sup> November 2008 – (Framework Decision 2008/977/JHA) <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:350:0060:0071:en:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:350:0060:0071:en:PDF</a>
5	European Council Framework Decision 2009/315/JHA on the organization and content of the exchange of information extracted from the criminal record between Member States, 26 <sup>th</sup> February 2009 – (Framework Decision 2009/315/JHA); <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:093:0023:0032:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:093:0023:0032:EN:PDF</a>
6	European Council Decision 2009/371/JHA establishing the European Police Office (Europol), 6 <sup>th</sup> April 2009 – (Council Decision 2009/371/JHA); <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:121:0037:0066:en:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:121:0037:0066:en:PDF</a>
7	European Council Decision 2009/917/JHA on the use of information technology for customs purposes, 30 <sup>th</sup> November 2009 – (Council Decision 2009/917/JHA); <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32009D0917&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32009D0917&amp;from=EN</a>

<i>Table of Legislation</i>	
<b>Nº</b>	<b>Legislation</b>
8	European Parliament & Council Regulation (EU) 2016/679 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) – (GDPR); <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679&amp;from=EN</a>
9	European Parliament & Council Directive (EU) 2016/680 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA, 27 <sup>th</sup> April 2016 – (Directive 2016/680); <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016L0680&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016L0680&amp;from=EN</a>
10	Law no. 677/2001 on the protection of individuals with regard to the processing of personal data and the free movement of such data, Romania – (Law no. 677/2001); <a href="http://ec.europa.eu/justice/data-protection/law/files/implementation/ro_law_677_2001_en_unofficial.pdf">http://ec.europa.eu/justice/data-protection/law/files/implementation/ro_law_677_2001_en_unofficial.pdf</a>
11	Protection of Privacy Law, Israel; <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=347462">http://www.wipo.int/wipolex/en/text.jsp?file_id=347462</a>
12	Royal Decree 1720/2007, Spain; <a href="https://www.davara.com/documentos/relacionados/proteccion/RD_1720-2007_english.pdf">https://www.davara.com/documentos/relacionados/proteccion/RD_1720-2007_english.pdf</a>
13	Constitutional Law 15/1999 on Personal Data Protection, Spain; <a href="http://www.agpd.es/portaIwebAGPD/canaIdocumentacion/legislacion/estatal/common/pdfs/2014/Ley_Organica_15-1999_de_13_de_diciembre_de_Proteccion_de_Datos_Consolidado.pdf">http://www.agpd.es/portaIwebAGPD/canaIdocumentacion/legislacion/estatal/common/pdfs/2014/Ley_Organica_15-1999_de_13_de_diciembre_de_Proteccion_de_Datos_Consolidado.pdf</a>
14	Act CXII of 2011 on Informational Self-Determination and the Freedom of Information, Hungary; <a href="http://www.naih.hu/files/Privacy_Act-CXII-of-2011_EN_201310.pdf">http://www.naih.hu/files/Privacy_Act-CXII-of-2011_EN_201310.pdf</a>
15	Data Protection Act, Chapter 440 of the Laws of Malta, Malta; <a href="http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&amp;itemid=8906&amp;l=1">http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&amp;itemid=8906&amp;l=1</a>

<b>Table of Legislation</b>	
<b>N°</b>	<b>Legislation</b>
16	Law on personal data protection of 08/07/2011, Moldova; <a href="http://www.datepersonale.md/file/Data%20Protection%20Law%20133.pdf">http://www.datepersonale.md/file/Data%20Protection%20Law%20133.pdf</a>
17	Law regarding the 2013-2018 Strategy of Data Protection, Moldova; <a href="http://www.datepersonale.md/file/Data%20Protection%20Law%20133.pdf">http://www.datepersonale.md/file/Data%20Protection%20Law%20133.pdf</a>
18	Data Protection Act 1998, United Kingdom; <a href="http://www.legislation.gov.uk/ukpga/1998/29/contents">http://www.legislation.gov.uk/ukpga/1998/29/contents</a>
19	Convention 108 for the Protection of Individuals with regard to Automatic Processing of Personal Data; <a href="https://rm.coe.int/1680078b37">https://rm.coe.int/1680078b37</a>

**Table 1: Table of Legislation**

<b>Table of Literature</b>	
<b>N°</b>	<b>Literature</b>
1	Monika Kuschewsky and others, “Data Protection & Privacy: International Series”, Third Edition, Thomson Reuters (Professional), UK Ltd, (2016).
2	European Parliament, Directorate-General for Internal Policies, “The US legal system on data protection in the field of law enforcement. Safeguards, rights and remedies for EU citizens”, Study for the LIBE Committee, (2015); <a href="http://www.europarl.europa.eu/RegData/etudes/STUD/2015/519215/IPOL_STU%282015%29519215_EN.pdf">http://www.europarl.europa.eu/RegData/etudes/STUD/2015/519215/IPOL_STU%282015%29519215_EN.pdf</a>
3	Court of Justice of the European Union, PRESS RELEASE No 54/14, “The Court of Justice declares the Data Retention Directive to be invalid”, (2014); <a href="https://curia.europa.eu/jcms/upload/docs/application/pdf/2014-04/cp140054en.pdf">https://curia.europa.eu/jcms/upload/docs/application/pdf/2014-04/cp140054en.pdf</a>
4	OECD Guidelines; <a href="http://oecdprivacy.org/#collection">http://oecdprivacy.org/#collection</a>
5	Professor J.A. Cannataci & Dr M. M. Caruana, “Report:Recommendation R(87)15 – Twenty-five years down the line”, PUIPE Project, (2013); <a href="http://www.statewatch.org/news/2013/oct/coe-report-data-privacy-in-the-police-sector.pdf">http://www.statewatch.org/news/2013/oct/coe-report-data-privacy-in-the-police-sector.pdf</a>

**Table 2: Table of Literature**

## 4. Definitions

<i>Definitions</i>	
<i>Nº</i>	<i>Legislation</i>
1.	Council of Europe Recommendation R(87)15; Regulating the Use of Personal Data in the Police Sector, 17 <sup>th</sup> September 1987 – (R(87)/15); <a href="http://ec.europa.eu/justice/data-protection/law/files/coe-fra-rpt-2670-en-471.pdf">http://ec.europa.eu/justice/data-protection/law/files/coe-fra-rpt-2670-en-471.pdf</a>
2	European Parliament & Council Directive 95/46/EC on the protection of individuals with regard to the processing of personal data and on the free movement of such data, 24 <sup>th</sup> October 1995 – (Directive 95/46/EC); <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31995L0046:EN:HTML">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31995L0046:EN:HTML</a>
3	European Parliament & Council Regulation (EU) 2016/679 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) – (GDPR); <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679&amp;from=EN</a>
4	European Parliament & Council Directive (EU) 2016/680 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA, 27 <sup>th</sup> April 2016 – (Directive 2016/680); <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016L0680&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016L0680&amp;from=EN</a>
5	Royal Decree 1720/2007, Spain; <a href="https://www.davara.com/documentos/relacionados/proteccion/RD_1720-2007_english.pdf">https://www.davara.com/documentos/relacionados/proteccion/RD_1720-2007_english.pdf</a>
6	Constitutional Law 15/1999 on Personal Data Protection, Spain; <a href="http://www.agpd.es/portaleswebAGPD/canaldocumentacion/legislacion/estatal/common/pdfs/2014/Ley_Organica_15-1999_de_13_de_diciembre_de_Proteccion_de_Datos_Consolidado.pdf">http://www.agpd.es/portaleswebAGPD/canaldocumentacion/legislacion/estatal/common/pdfs/2014/Ley_Organica_15-1999_de_13_de_diciembre_de_Proteccion_de_Datos_Consolidado.pdf</a>

<i>Definitions</i>	
<i>Nº</i>	<i>Legislation</i>
7	Law on personal data protection of 08/07/2011, Moldova; <a href="http://www.datepersonale.md/file/Data%20Protection%20Law%20133.pdf">http://www.datepersonale.md/file/Data%20Protection%20Law%20133.pdf</a>
8	Data Protection Act 1998, United Kingdom; <a href="http://www.legislation.gov.uk/ukpga/1998/29/contents">http://www.legislation.gov.uk/ukpga/1998/29/contents</a>
9	Council Framework Decision 2008/977/JHA of 27 November 2008 on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters; <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:350:0060:0071:en:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:350:0060:0071:en:PDF</a>
10	Protection of Privacy Law, 5741-1981, Israel; <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=347462">http://www.wipo.int/wipolex/en/text.jsp?file_id=347462</a>
11	Act CXII of 2011 on Informational Self-Determination and the Freedom of Information, Hungary; <a href="http://www.naih.hu/files/Privacy_Act-CXII-of-2011_EN_201310.pdf">http://www.naih.hu/files/Privacy_Act-CXII-of-2011_EN_201310.pdf</a>
12	Law no. 677/2001 of 21 <sup>ST</sup> November 2001 on the protection of individuals with regard to the processing of personal data and the free movement of such data, Romania – (Law no. 677/2001); <a href="http://ec.europa.eu/justice/data-protection/law/files/implementation/ro_law_677_2001_en_unofficial.pdf">http://ec.europa.eu/justice/data-protection/law/files/implementation/ro_law_677_2001_en_unofficial.pdf</a>

**Table 3: Table of Literature in relation to Definitions**

## 5. Data Protection Principles

<i>Data Protection Principles</i>	
<i>Nº</i>	<i>Legislation</i>
1.	Council of Europe Recommendation R(87)15; Regulating the Use of Personal Data in the Police Sector, 17 <sup>th</sup> September 1987 – (R(87)/15); <a href="http://ec.europa.eu/justice/data-protection/law/files/coe-fra-rpt-2670-en-471.pdf">http://ec.europa.eu/justice/data-protection/law/files/coe-fra-rpt-2670-en-471.pdf</a>
2	European Parliament & Council Directive 95/46/EC on the protection of individuals with regard to the processing of personal data and on the free movement of such data, 24 <sup>th</sup> October 1995 – (Directive 95/46/EC); <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31995L0046:EN:HTML">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31995L0046:EN:HTML</a>
3	European Parliament & Council Regulation (EU) 2016/679 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) – (GDPR); <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679&amp;from=EN</a>
4	European Parliament & Council Directive (EU) 2016/680 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA, 27 <sup>th</sup> April 2016 – (Directive 2016/680); <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016L0680&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016L0680&amp;from=EN</a>
5	Council Decision 2009/917/JHA of 30 November 2009 on the use of information technology for customs purposes; <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32009D0917&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32009D0917&amp;from=EN</a>
6	Council Framework Decision 2008/977/JHA of 27 November 2008 on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters; <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:350:0060:0071:en:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:350:0060:0071:en:PDF</a>

<i>Data Protection Principles</i>	
<i>Nº</i>	<i>Legislation</i>
7	Council Decision of 6 April 2009 establishing the European Police Office (Europol) (2009/371/JHA); <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:121:0037:0066:en:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:121:0037:0066:en:PDF</a>
8	OECD Guidelines; <a href="http://oecdprivacy.org/#collection">http://oecdprivacy.org/#collection</a>
9	Explanatory Report to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data; <a href="https://rm.coe.int/16800ca434">https://rm.coe.int/16800ca434</a>
10	Convention 108 for the Protection of Individuals with regard to Automatic Processing of Personal Data; <a href="https://rm.coe.int/1680078b37">https://rm.coe.int/1680078b37</a>

*Table 4: Table of Literature in relation to Data Protection Principles*

## 6. Data Subject Rights

<i>Data Subject Rights</i>	
<i>Nº</i>	<i>Legislation</i>
1.	Council of Europe Recommendation R(87)15; Regulating the Use of Personal Data in the Police Sector, 17 <sup>th</sup> September 1987 – (R(87)/15); <a href="http://ec.europa.eu/justice/data-protection/law/files/coe-fra-rpt-2670-en-471.pdf">http://ec.europa.eu/justice/data-protection/law/files/coe-fra-rpt-2670-en-471.pdf</a>
2	European Parliament & Council Directive 95/46/EC on the protection of individuals with regard to the processing of personal data and on the free movement of such data, 24 <sup>th</sup> October 1995 – (Directive 95/46/EC); <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31995L0046:EN:HTML">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31995L0046:EN:HTML</a>
3	European Parliament & Council Regulation (EU) 2016/679 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) – (GDPR); <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679&amp;from=EN</a>
4	European Parliament & Council Directive (EU) 2016/680 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA, 27 <sup>th</sup> April 2016 – (Directive 2016/680); <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016L0680&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016L0680&amp;from=EN</a>
5	Council Framework Decision 2009/315/JHA of 26 February 2009 on the organisation and content of the exchange of information extracted from the criminal record between Member States; <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:093:0023:0032:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:093:0023:0032:EN:PDF</a>



<i>Data Subject Rights</i>	
<i>Nº</i>	<i>Legislation</i>
6	Council Decision 2008/633/JHA of 23 June 2008 concerning access for consultation of the Visa Information System (VIS) by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences; <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:218:0129:0136:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:218:0129:0136:EN:PDF</a>
7	Council Decision 2009/917/JHA of 30 November 2009 on the use of information technology for customs purposes; <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32009D0917&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32009D0917&amp;from=EN</a>
8	Law No.677/2001 of 21 <sup>st</sup> of November 2001 on the Protection of Individuals with Regard to the Processing of Personal Data and the Free Movement of such Data; <a href="http://ec.europa.eu/justice/data-protection/law/files/implementation/ro_law_677_2001_en_unofficial.pdf">http://ec.europa.eu/justice/data-protection/law/files/implementation/ro_law_677_2001_en_unofficial.pdf</a>

*Table 5: Table of Literature in relation to Data Subject Rights*

## 7. Data Transfer

<i>Data Transfer</i>	
<i>Nº</i>	<i>Legislation</i>
1.	Council of Europe Recommendation R(87)15; Regulating the Use of Personal Data in the Police Sector, 17 <sup>th</sup> September 1987 – (R(87)/15); <a href="http://ec.europa.eu/justice/data-protection/law/files/coe-fra-rpt-2670-en-471.pdf">http://ec.europa.eu/justice/data-protection/law/files/coe-fra-rpt-2670-en-471.pdf</a>
2	European Parliament & Council Directive 95/46/EC on the protection of individuals with regard to the processing of personal data and on the free movement of such data, 24 <sup>th</sup> October 1995 – (Directive 95/46/EC); <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31995L0046:EN:HTML">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31995L0046:EN:HTML</a>
3	European Parliament & Council Regulation (EU) 2016/679 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) – (GDPR); <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679&amp;from=EN</a>
4	European Parliament & Council Directive (EU) 2016/680 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA, 27 <sup>th</sup> April 2016 – (Directive 2016/680); <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016L0680&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016L0680&amp;from=EN</a>
5	Council Framework Decision 2008/977/JHA of 27 November 2008 on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters; <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:350:0060:0071:en:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:350:0060:0071:en:PDF</a>

<i>Data Transfer</i>	
<i>Nº</i>	<i>Legislation</i>
6	Council Decision 2008/633/JHA of 23 June 2008 concerning access for consultation of the Visa Information System (VIS) by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences; <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:218:0129:0136:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:218:0129:0136:EN:PDF</a>
7	Privacy Protection ( Transfer of Data to Databases Abroad) Regulations, 5761-2001, Israel; <a href="http://www.justice.gov.il/En/Units/ILITA/Documents/PrivacyProtectionTransferofDataabroadRegulationsun.pdf">http://www.justice.gov.il/En/Units/ILITA/Documents/PrivacyProtectionTransferofDataabroadRegulationsun.pdf</a>

*Table 6: Table of Literature in relation to Data Transfers*

## 8. Notification Obligations

<i>Notification</i>	
<i>Nº</i>	<i>Legislation</i>
1.	Council of Europe Recommendation R(87)15; Regulating the Use of Personal Data in the Police Sector, 17 <sup>th</sup> September 1987 – (R(87)/15); <a href="http://ec.europa.eu/justice/data-protection/law/files/coe-fra-rpt-2670-en-471.pdf">http://ec.europa.eu/justice/data-protection/law/files/coe-fra-rpt-2670-en-471.pdf</a>
2	European Parliament & Council Directive 95/46/EC on the protection of individuals with regard to the processing of personal data and on the free movement of such data, 24 <sup>th</sup> October 1995 – (Directive 95/46/EC); <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31995L0046:EN:HTML">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31995L0046:EN:HTML</a>
3	European Parliament & Council Regulation (EU) 2016/679 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) – (GDPR); <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679&amp;from=EN</a>
4	European Parliament & Council Directive (EU) 2016/680 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA, 27 <sup>th</sup> April 2016 – (Directive 2016/680); <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016L0680&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016L0680&amp;from=EN</a>
5	Council Framework Decision 2008/977/JHA of 27 November 2008 on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters; <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:350:0060:0071:en:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:350:0060:0071:en:PDF</a>
6	Council Decision of 6 April 2009 establishing the European Police Office (Europol) (2009/371/JHA); <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:121:0037:0066:en:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:121:0037:0066:en:PDF</a>

*Table 7: Table of Literature in relation to Notification Obligations*

## 9. Security

<i>Security</i>	
<i>Nº</i>	<i>Literature</i>
1	European Parliament & Council Regulation (EU) 2016/679 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) – (GDPR); <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679&amp;from=EN</a>
2	European Parliament & Council Directive (EU) 2016/680 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA, 27 <sup>th</sup> April 2016 – (Directive 2016/680); <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016L0680&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016L0680&amp;from=EN</a>

*Table 8: Table of Literature in relation to Security Obligations*

## 10. Derogations

<i>Derogations</i>	
<i>Nº</i>	<i>Legislation</i>
1.	Convention 108 for the Protection of Individuals with regard to Automatic Processing of Personal Data; <a href="https://rm.coe.int/1680078b37">https://rm.coe.int/1680078b37</a>
2	European Parliament & Council Directive 95/46/EC on the protection of individuals with regard to the processing of personal data and on the free movement of such data, 24 <sup>th</sup> October 1995 – (Directive 95/46/EC); <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31995L0046:EN:HTML">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31995L0046:EN:HTML</a>
3	European Parliament & Council Regulation (EU) 2016/679 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) – (GDPR); <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679&amp;from=EN</a>
4	European Parliament & Council Directive (EU) 2016/680 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA, 27 <sup>th</sup> April 2016 – (Directive 2016/680); <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016L0680&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016L0680&amp;from=EN</a>
5	Royal Decree 1720/2007, Spain; <a href="https://www.davara.com/documentos/relacionados/proteccion/RD_1720-2007_english.pdf">https://www.davara.com/documentos/relacionados/proteccion/RD_1720-2007_english.pdf</a>
6	Constitutional Law 15/1999 on Personal Data Protection, Spain; <a href="http://www.agpd.es/portaIwebAGPD/canaIdocumentacion/legislacion/estatal/common/pdfs/2014/Ley_Organica_15-1999_de_13_de_diciembre_de_Proteccion_de_Datos_Consolidado.pdf">http://www.agpd.es/portaIwebAGPD/canaIdocumentacion/legislacion/estatal/common/pdfs/2014/Ley_Organica_15-1999_de_13_de_diciembre_de_Proteccion_de_Datos_Consolidado.pdf</a>
7	Law on personal data protection of 08/07/2011, Moldova; <a href="http://www.datepersonale.md/file/Data%20Protection%20Law%20133.pdf">http://www.datepersonale.md/file/Data%20Protection%20Law%20133.pdf</a>

<i>Derogations</i>						
<i>Nº</i>	<i>Legislation</i>					
8	Data Protection Act 1998,	United Kingdom;;	<a href="http://www.legislation.gov.uk/ukpga/1998/29/contents">http://www.legislation.gov.uk/ukpga/1998/29/contents</a>			
9	Explanatory Report to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data; <a href="https://rm.coe.int/16800ca434">https://rm.coe.int/16800ca434</a>					

*Table 9: Table of Literature in relation to Derogations*

## 11. U.S. Perspective

<i>U.S. Perspective</i>	
<i>Nº</i>	<i>Literature</i>
1	Federal Trade Commission Act (FTC); <a href="https://www.ftc.gov/sites/default/files/documents/statutes/federal-trade-commission-act/ftc_act_incorporatingus_safe_web_act.pdf">https://www.ftc.gov/sites/default/files/documents/statutes/federal-trade-commission-act/ftc_act_incorporatingus_safe_web_act.pdf</a>
2	Health Insurance Portability and Accessibility Act (HIPAA); <a href="https://www.gpo.gov/fdsys/pkg/PLAW-104publ191/pdf/PLAW-104publ191.pdf">https://www.gpo.gov/fdsys/pkg/PLAW-104publ191/pdf/PLAW-104publ191.pdf</a>
3	Gramm-Leach-Bliley Act (GLBA); <a href="https://www.gpo.gov/fdsys/pkg/PLAW-106publ102/pdf/PLAW-106publ102.pdf">https://www.gpo.gov/fdsys/pkg/PLAW-106publ102/pdf/PLAW-106publ102.pdf</a>
4	Children’s Online Privacy Protection Act (COPPA); <a href="http://www.coppa.org/coppa.htm">http://www.coppa.org/coppa.htm</a>
5	Fourth Amendment to the U.S. Constitution ; <a href="https://constitutioncenter.org/interactive-constitution/amendments/amendment-iv">https://constitutioncenter.org/interactive-constitution/amendments/amendment-iv</a>
6	Privacy Act of 1974; <a href="https://www.gpo.gov/fdsys/pkg/USCODE-2012-title5/pdf/USCODE-2012-title5-partI-chap5-subchapII-sec552a.pdf">https://www.gpo.gov/fdsys/pkg/USCODE-2012-title5/pdf/USCODE-2012-title5-partI-chap5-subchapII-sec552a.pdf</a>
7	European Parliament, Directorate General for Internal Policies, "The US legal system on data protection in the field of law enforcement. Safeguards, rights and remedies for EU citizens", Study for the LIBE Committee; <a href="http://www.europarl.europa.eu/RegData/etudes/STUD/2015/519215/IPOL_STU%282015%29519215_EN.pdf">http://www.europarl.europa.eu/RegData/etudes/STUD/2015/519215/IPOL_STU%282015%29519215_EN.pdf</a>
8	ACLU v. Clapper, No-14-42 (2 <sup>nd</sup> Cir. May 7, 2015); <a href="https://www.aclu.org/sites/default/files/field_document/clapper-ca2-opinion.pdf">https://www.aclu.org/sites/default/files/field_document/clapper-ca2-opinion.pdf</a>
9	Safe Harbour Decision; <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32000D0520:EN:HTML">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32000D0520:EN:HTML</a>
10	Maximillian Schrems v. Data Protection Commissioner, CJEU, 6 <sup>th</sup> October 2015; <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:62014CJ0362&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:62014CJ0362&amp;from=EN</a>
11	EU-US Privacy Shield Agreement; <a href="https://www.privacyshield.gov/servlet/servlet.FileDownload?file=015t00000004qAg">https://www.privacyshield.gov/servlet/servlet.FileDownload?file=015t00000004qAg</a>

*Table 10: Table of Literature in relation to U.S Perspective*



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- [15] European Parliament & Council Directive (EU) 2016/680 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA, 27<sup>th</sup> April 2016 – (Directive 2016/680)
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