EU Data Initiatives in Context
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**EU General Data Protection Regulation (2016)**
- DG Justice & Consumers, Directorate C
- Applies to the processing of European Economic Area personal data.
- Significant extraterritorial effect.
- Omnibus data protection regulation, applicable to the commercial and public sectors, excluding national security activities.
- Creation of European Data Protection Board.

- DG Connect, Directorate H: Digital Society, Trust & Cybersecurity — Unit H2: Cybersecurity and Digital Privacy Policy
- Under revision, will become the ePrivacy Regulation.
- For most companies, currently mainly of interest for cookie provision and rules on unsolicited communication or spam.

**European Commission presents its strategy for data and artificial intelligence (February 2020)**

**Proposal for a Regulation laying down harmonized rules on Artificial Intelligence**
- DG Connect

**Proposal for Data Governance Act**
- DG Connect, Directorate G: Data — Unit G1: Data Policy and Innovation
- Reuse of public sector data that is subject to certain protections.
- Rules for data intermediaries.
- Introduction of concept of data altruism.
- Creation of a European Data Innovation Board.
- As part of the trilogue discussions, in November 2021, a political agreement was reached between the European Parliament and council; the text now needs to be formally approved by these two bodies; is expected to happen in the first half of 2022. See also.

**Data Act (forthcoming)**
- Will be proposed by the commission in the first half of 2022.
- Is meant to complement the DGA.
- Aims to maximize the value of data for the economy and society by fostering data sharing among businesses, and between businesses and governments.

**Proposal for Digital Services Act**
- DG Connect, Directorate F: Digital Single Market — Unit F2: E-Commerce & Platforms
- Applies to providers of “intermediary services,” which includes mere conduit, caching or hosting services; has extraterritorial effect.
- Determines liability regime and additional obligations related to the spreading of illegal content.
- Additional systemic risk management requirements for large online platforms with more than 45 million users.
- Additional transparency requirements for online advertising toward individual recipients; includes details on the advertising buyer and parameters used to determine the recipient to whom the ad is displayed.
- May introduce restrictions on certain targeted advertising practices.
- Requires very large platforms to appoint qualified compliance officers.
- Foresees the appointment of digital services coordinators in each member state and the creation of a European Board for Digital Services.
- Currently in trilogue discussions after the council adopted its negotiating position in November 2021 (see here and here) followed by the European Parliament in January 2022.

**Proposal for Digital Markets Act**
- DG Competition and DG Connect, Directorate F: Digital Single Market — Unit F2: E-Commerce & Platforms
- Competition law component of the European Commission’s data strategy.
- Built around the notion of “gatekeepers,” i.e., companies that provide “core platform services” in at least three member states, meet certain thresholds of EEA turnover or market capitalization and fair market value, as well as have a minimum number of active end or business users in the EEA in the last three financial years; has extraterritorial effect.
- Core platform services include online intermediation services, search engines, social networking services, video-sharing platforms and cloud computing services.
- Gateway are subject to a long list of dos and don'ts with potential hefty fines and other remedies available to regulators.
- Foresees the creation of a Digital Markets Advisory Committee.
- Currently in trilogue discussions after the council and Parliament each reviewed the commission proposal and adopted their respective negotiating positions (see here).

**Proposal for renewed NIS2 Directive**
- DG Connect, Directorate H: Digital Society, Trust & Cybersecurity — Unit H: Cybersecurity & Digital Privacy Policy
- Expansion in scope compared to current NIS Directive.
- The European Parliament and Council have completed their review in first reading; trilogue discussions should start soon. For more details, see here.

**Proposal for a directive on the resilience of critical entities**
- Expansion in scope compared to the current directive.