



PRESENTAZIONE DEL VOLUME

Informazioni generali

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Informazioni sul volume

A first attempt to establish a framework for interoperability within the area of freedom, security and justice dates back to the aftermath of 9/11. Since then, different studies correlated to interoperability have been carried out. Two waves of research are worth mentioning: a first batch of studies focusing on the interoperability between the Schengen Information System (SIS), the Visa Information System (VIS), and the European Dactyloscopy Database (Eurodac), a project that was subsequently discarded; and a second batch of works following the Communication of the European Commission on Stronger and Smarter Information Systems for Borders and Security, which anticipated the adoption of Regulations No. 817 and 818 in 2019.

This Book assesses whether implementing transborder interoperable solutions aligns with the European Union's standards and rules on personal data transfer. It specifically examines the principles and values enshrined in the founding Treaties that steer the EU's external activity as a global actor, and defines the limits that must be respected when processing personal data in the frame of large-scale IT systems in the area of freedom, security and justice. The guiding thread of our research is found not only in the EU internal *acquis* based on Article 16(2) of the Treaty on the Functioning of the European Union, but also on the principles and rules the European Union must respect

when acting externally as a global player subject to public international law. We are thus referring to the theories on the external relations of international organisations including the one concerning the European Union. In addition, and provided that the interoperability's external dimension is structured on the basis of those Union's agencies that have access to the new Information Technology (IT) infrastructure or, even more revolutionary, on the basis of automated data exchanges performed by the Union's large-scale systems themselves, a second main theory guides our research, that is, that of delegation.

By way of conclusion, and to make a step forward in the literature on large-scale IT systems and interoperability, this book questions an unconditioned, global form of interoperability in the area of freedom, security and justice considering the principles and rules the EU must respect when acting externally. Under Union Law, the transfer of personal data that is not supported by previously agreed standardisation processes could violate the safeguards laid down in its internal legislation to protect Union citizens and, broadly, the individual. The human right to privacy, in its multifaceted conceptualisations, and the fundamental right to the protection of personal data, could be undermined where the provision of information about an individual constitutes a disproportionate interference. Moreover, by framing the transfer of personal data within the external relations of the EU as a global player in the area of freedom, security and justice, we appreciate that the external scope of interoperability should be a voice to assert the principles and values on which the EU lays its foundations by virtue of Article 21(3) of the Treaty on the European Union and Article 7 of the Treaty on the Functioning of the European Union.

In sum, the Book helps the reader understand the privacy and data protection standards the EU must uphold when pursuing its objectives of freedom, security and justice externally and offers a series of diagrams, tables, and figures, making your reading as pleasant as possible.