

CYBER STRATEGY & POLICY: POLICY ANALYSIS PAPER 2

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CYSE 425W: Cyber Strategy & Policy

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September 29, 2024

The General Data Protection Regulation was passed in 2018, which entailed vast political consequences within the European Union and elsewhere around the globe. The European Union became a leading actor in digital privacy worldwide, with its broad provisions reshaping policies at the international level. This paper discusses the political consequences of the GDPR in light of policymakers' responses, the drivers of these responses, and their resultant consequences.

The General Data Protection Regulation, or GDPR in its generic abbreviation, was legislated owing to the growing concern over data privacy and protection with the daily digitization of personal information. The EU lawmakers, conscious of having one rule book on data governance, passed the GDPR instead of the fragmented data protection laws that existed earlier across the EU member states. This new regulation allowed the EU to flex its regulatory muscles on global tech companies operating within its borders and positioned the bloc as a leader in the digital economy. Indeed, Prasad & Pérez (2020) argue that the GDPR has claimed that the EU should be taken seriously in the digital world.

The political urge toward adopting the GDPR was significantly influenced by notorious cases involving data breaches, such as the Facebook-Cambridge Analytica scandal, which illustrated the need for stringent data protection measures. This was the unanimous and unprecedented support for this legislation in the European Parliament—a law protecting individual citizens and making corporations responsible. The GDPR was hailed as a model to inspire the world, and similar legislation was passed worldwide, including in Brazil and California (Chander et al., 2020).

Several motivating factors led to the issuance of the GDPR. The regulation was introduced based on public awareness and a call for an improved framework of personal data

privacy. European citizens were becoming increasingly anxious that their personal information was being misused; hence, an improved GDPR aimed to enhance individuals' control over information. For example, the right to be forgotten and data portability incorporated in the regulations reflect this craving for transparency and accountability.

The other decisive driving factor was economic governance. The GDPR enforces vast fines of up to 4% of the total revenue of a firm operating globally in cases of non-compliance, hence making it an effective guarantees-enacting tool for corporate accountability. This economic rationale was a conscious strategy European lawmakers used to get businesses to take data protection seriously, says Pérez (2020). As a regulatory leader, the EU commanded influence in international data protection norms, exporting its regulatory standards effectively to other parts of the world.

Last but not least, the political ambition of the EU to retain digital sovereignty served as another driver for the GDPR. Because most critical players in major technology companies have operational headquarters in the United States, there was a belief that the GDPR would be able to provide a form of control for the EU over data collection, storage, and processing within the borders of the EU. This, however, has resulted in the creation of several political tensions with non-EU countries, particularly the U.S., which perceives some of the provisions of the GDPR as excessively burdensome to operate, according to Chander et al. (2020).

From a political perspective, the effects have also been far-reaching, rippling into the international digital economy and international relations. The GDPR increased the bar for data protection worldwide and has influenced laws in nations such as Brazil, Japan, and South Korea. Most of these countries have passed legislation similar to the GDPR, realizing that the nature of

times in the digital era calls for comprehensive policies in data protection (Prasad & Pérez, 2020).

The GDPR has disrupted data handling for businesses within the digital economic paradigm. While it has increased individual rights over data privacy, it has imposed significant compliance costs on companies-mostly for small and medium-scale firms-as stated by Pérez (2020). There is also an argument that the stringent requirements under the GDPR have heightened barriers to innovation and competition, especially for non-European firms.

Another significant implication of GDPR involves political tensions between the EU and the U.S. While the former views the law as necessary for protecting the privacy of its citizens, the latter has taken steps to undermine what a majority of lawmakers view as overly restrictive and too expensive. International relations are further complicated by the extra-territorial effect developed in the GDPR, which requires firms outside the EU to comply with its rules if they handle European data.

The GDPR is a watershed in the regulation of digital privacy. From the perspective of its political consequences, the regulation has had far-reaching repercussions because it answered public concerns, improved corporate responsibility, and imposed the EU's digital sovereignty. The norm-setting impact on international data protection has been revised and, by provoking political tensions with the U.S., has reopened the debate. Indeed, the impact of the GDPR on global data governance will continue to grow as more countries adopt similar regulations, thereby setting the future of both digital privacy and cybersecurity.

References

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