

## Introduction

The General Data Protection Regulation (GDPR) was a framework that was adopted by the European Union (EU) in May of 2018, that allocates with the protection and the security of EU citizens data, from organization that work within the EU and international organizations (Wolford,2024). GDPR also works to empower its citizens against organizations that hold their personal data. This includes strict measures that organizations must abide by when dealing with EU Citizens. As international organizations work towards abiding by strict GDPR rules, its important to analyze the ethical impact of GDPR. This paper will look to cover the ethical aspects of GDPR such as, the costs and benefits it concludes, the types of rights that are protected and potentially limited, and its protection and limitation of individual rights.

## Ethical Implications of GDPR

GDPR covers many core ethical principles when it comes to data privacy, of EU citizens data from international organizations. This includes during the processing of data, that organizations must follow, lawfulness, fairness, and transparency, to ensure that no misuse occurs, and it should be done in a manner that promotes integrity and confidentiality (Wolford,2024). Which from a ethical view, this entitles citizens when it comes to there personal information, and the way its adopted within a organization setting (Wolford,2024).

Considerably, there are however negative ethical implications, when it comes to GDPR. Due to the strict guidelines in which GDPR bestows, this can cause limitation when it comes to other key rights. For example, rights such as the freedom of expression, in which can be altered upon different states with the EU, as stated in article 85 of the GDPR. This can be very concerning for many citizens, and lead to inconsistency within the system, and how rights are protected across states. Furthermore, GDPR also has a major ethical implications on businesses, in which

according to PricewaterhouseCoopers survey, 68% of U.S. Companies that do Business within the EU, will have to spend upwards of around \$1 Million to \$10 Million dollars, to meet the requirements of GDPR, which can be very unfeasible for medium or small size organizations (Li et al., 2019). This can also cause for many organizations, not willing to sell their products or their service to the EU, due to the very strict guidelines and security measures they must endure.

### Benefits and cost of GDPR

When it comes to the benefits of GDPR, it helps to empower individuals to have a sense of control over their data. This can help individuals not to be featured in a breach, because they were unknown of the data that was gathered on them, or misuse of data that occurred. For example, the Cambridge scandal that occurred in 2018, in which millions of user's data was stolen, without their given consent of use from the Cambridge organization. Moreover, the legislation imposes a demanding set of regulatory standards on organizations who control and process sensitive information, within the EU, must abide by unless they want to receive huge penalties. This includes obligations in which organizations need to obtain affirmative consent of the data they gather or hold, the need to inform individuals, the obligation to rectify and erase data, and the restrictions on transfers of data outside of the EU (Burca, 2020). The global impact of GDPR and the principles in which it bestows can be seen to influence data protection laws, and encourage best practices to data security (Kuner, 2020). GDPR can also be seen to enforce ethical concepts such as sovereignty and authorization, which changes the view in which businesses look at individuals within the EU, since they now have control over their personal information, and the way in which it is moved around (Kuner, 2020). GDPR also changes the whole aspect for many organizations, and the way in which they view cybersecurity practices (Li

et al., 2019). The reasoning behind this, is that GDPR requires organizations to implement reasonable cybersecurity measures, to safeguard consumers information, which could benefit organizations and strengthen the landscape of cybersecurity for them as well (Li et al., 2019).

While GDPR is beneficial to data privacy, it could also be understood as a phenomenon that causes impact beyond the EU border (Kuner,2020). The reason being is that GDPR is expected to have a significant impact on technology platforms and data architectures that collect and store data (Li et al., 2019). This concludes that international organizations will have to conduct internal assessments for their technology platforms, and architecture that includes EU citizens, which can be very expensive for smaller and medium sized organizations (Li et al., 2019). In addition, for the organizations to meet the requirements for GDPR, they will have to invest a lot of manpower and resources on the upgrade of their technological platforms, policies, and advertising practices, which could limit the chance for innovation (Li et al., 2019).

### The Rights Protected and Limited with GDPR

When it comes to the rights that are protected with GDPR, there are many rights to help protect individual's data that reside within the EU (Wolford,2024). This includes the right to be informed, if a data breach has occurred on your sensitive information (Wolford,2024). The right to Access your sensitive information, and ensure no misuse occurs (Wolford,2024). The right to rectification, to ensure that the data is correct, and no error has occurred during the data entering process. And the right to be forgotten within a organizations system, so they have no need to keep your personal information (Wolford,2024). These rights work to empower the individuals within the EU, and hold organization responsible for any loss of data, or any misuse that occurs.

While GDPR does work to protect the rights of individuals within the EU, it does however have its limitations. This includes the insufficiencies that GDPR specifies that it applies “to the

processing of personal data wholly or partly by automated means”, and to the processing by “other means” of data that forms, which relates to or is intended to be connected to a “filling system” (Krishnamurthy, 2020). Even with a wide extent, that GDPR portrays, numerous elements of the right to privacy have no connection to processing of data, including the search and seizure of physical items or places, or an individual’s sexual or reproductive autonomy (Krishnamurthy, 2020). These issues pose ethical difficulty, and the need for additional measures by the European council (Krishnamurthy, 2020).

### How does GDPR address Individual rights

Although, GDPR sets major demands on transparency and accountability for all organizations involved in the processing of personal data. GDPR has had major issues on individual rights such as the freedom of expression (Reventlow, 2020). While GDPR did replace the 1995 data protection directive, which concludes many of the same concepts of GDPR, such as the “journalistic exemption” (Reventlow, 2020). There is still much ethical controversy that concludes, due to the exemption making some of the requirements for data processing, inadmissible when it comes to journalistic purposes (Reventlow, 2020). This can cause for a different contrast on how freedom of speech is expressed Within the EU states (Reventlow, 2020). Even though international laws such as the European Convention on Human rights (ECHR), in general protects freedom of speech, states within the EU, can be flexible on the way they interpret theses international laws (Reventlow, 2020). Article 85 of the GDPR, proves this point by stating that, “EU member states are enacted by law to reconcile the right to the protection of personal data, and balance to this Regulation with the right to freedom of expression and information, including processing for journalistic purposes and the purposes of academic, artistic or literary expression” (Reventlow, 2020). Furthermore, article 85 of the

GDPR, includes that EU states can create rules and exceptions to GDPR in which they feel is necessary (Reventlow, 2020). This further, causes ethical concerns with the GDPR on how citizen can express freedom speech within different states.

## Conclusion

GDPR will have an everlasting impact on the way in which many organizations, deal with data security, and implementing the best practices, but has however left many ethical implications in regard to its pros and cons. When it comes to the benefits of GDPR, it will sanction authority for individuals when it comes to their personal information being used by organizations. This will allow for EU Citizens to call out organization who misuse their information for their own gain, and prioritize their rights, when it comes to their data. GDPR will also work to hold organizations accountable when it comes to implementing the best policy's, and security controls when administering data confidentiality, which overall improves organizations priorities of security. However, GDPR does endure some ethical concerns when it comes to individual rights, such as freedom of expression and journalism, in which the rules and exceptions can differ between states. There needs to be further guidelines administered between officials, so individual rights aren't violated. Overall GDPR serves a vital role when it comes to data security and will continue to evolve and be adopted by many different nations around the globe.

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