

Module 3 European Studies through Digital European Law

Practical workshop No. 7

Topic 7: Comparative Study of National and EU Digital Laws

Part 1: Key Differences and Interactions Between National and EU Digital Laws

1. **Overview of the EU Legal Framework in the Digital Sphere**
 - The principle of **supremacy of EU law** over national laws.
 - How EU regulations (e.g., **GDPR, Digital Services Act, AI Act**) apply uniformly across all member states.
 - The role of **directives**, which require national transposition (e.g., **Copyright Directive, NIS2 Directive**).
2. **Case Studies of National vs. EU Digital Laws**
 - **Data Protection Laws:** Comparing GDPR implementation in **France (CNIL), Germany (BDSG), and Sweden (IMY)**.
 - **Online Platform Regulation:** Differences in how countries enforce **Digital Services Act (DSA)** rules on social media platforms.
 - **AI and Ethics Regulations:** National approaches to AI governance alongside the EU AI Act.
3. **Challenges in Harmonizing National and EU Digital Laws**
 - The **difficulty of balancing national interests with EU-wide regulations**.
 - Issues with **delayed or incomplete transposition** of directives.
 - Conflicts between national data sovereignty policies and **EU-wide data-sharing initiatives**.
4. **Legal Disputes and Court Rulings on Digital Law Conflicts**
 - The role of the **European Court of Justice (ECJ)** in resolving disputes.
 - Landmark cases: **Schrems II (EU-U.S. Data Transfers), Google Spain Case (Right to be Forgotten)**.

Part 2: Future Trends and the Evolution of Digital Law Integration

1. **How National Governments Adapt to EU Digital Laws**
 - The rise of **national digital strategies** that complement EU frameworks.
 - Examples: Germany's **Digital Strategy 2025**, Estonia's **E-Governance Model**, France's **AI for Humanity Initiative**.
2. **National Digital Policies Going Beyond EU Law**
 - Cases where countries impose **stricter data protection laws** than GDPR (e.g., Germany's approach to employee data protection).
 - France's regulatory measures on **big tech taxation and AI ethics**.
3. **The Role of National Courts in Shaping EU Digital Law**
 - How **constitutional courts** in different countries challenge or interpret EU regulations.
 - Recent rulings on **data retention, digital surveillance, and biometric data collection**.
4. **The Future of Digital Law Harmonization in the EU**



Full-Time Studies

Semester 1, 2

- Upcoming regulations (e.g., **Data Act**, **AI Liability Directive**) and their national implications.
- The impact of **Brexit on UK-EU digital law divergence**.
- How future **pan-European digital strategies** will seek to unify cybersecurity, AI, and online rights legislation.

