

Latest Version: 8.1

Question: 1

Which statement is correct when considering the right to privacy under Article 8 of the European Convention on Human Rights (ECHR)?

- A. The right to privacy is an absolute right
- B. The right to privacy has to be balanced against other rights under the ECHR
- C. The right to freedom of expression under Article 10 of the ECHR will always override the right to privacy
- D. The right to privacy protects the right to hold opinions and to receive and impart ideas without interference

Answer: B

Reference: https://www.echr.coe.int/Documents/Guide_Art_8_ENG.pdf (15)

Question: 2

What is one major goal that the OECD Guidelines, Convention 108 and the Data Protection Directive (Directive 95/46/EC) all had in common but largely failed to achieve in Europe?

- A. The establishment of a list of legitimate data processing criteria
- B. The creation of legally binding data protection principles
- C. The synchronization of approaches to data protection
- D. The restriction of cross-border data flow

Answer: C

Reference: <https://ico.org.uk/media/about-the-ico/documents/1042349/review-of-eu-dp-directive.pdf> (99)

Question: 3

A key component of the OECD Guidelines is the “Individual Participation Principle”. What parts of the General Data Protection Regulation (GDPR) provide the closest equivalent to that principle?

- A. The lawful processing criteria stipulated by Articles 6 to 9
- B. The information requirements set out in Articles 13 and 14
- C. The breach notification requirements specified in Articles 33 and 34

D. The rights granted to data subjects under Articles 12 to 22

Answer: D

Question: 4

Which EU institution is vested with the competence to propose new data protection legislation on its own initiative?

- A. The European Council
- B. The European Parliament
- C. The European Commission
- D. The Council of the European Union

Answer: D

Reference: <https://www.tandfonline.com/doi/full/10.1080/13600834.2019.1573501>

Question: 5

What is an important difference between the European Court of Human Rights (ECHR) and the Court of Justice of the European Union (CJEU) in relation to their roles and functions?

- A. ECHR can rule on issues concerning privacy as a fundamental right, while the CJEU cannot.
- B. CJEU can force national governments to implement and honor EU law, while the ECHR cannot.
- C. CJEU can hear appeals on human rights decisions made by national courts, while the ECHR cannot.
- D. ECHR can enforce human rights laws against governments that fail to implement them, while the CJEU cannot.

Answer: B