

# Procedural challenges of cross-border cooperation and consistency in personal data protection in the EU

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**Abstract:** Data protection is an increasingly important topic in European administrative space, both at national and cross-border level. Such trends reflect different phenomena in contemporary society, which further leads to a more focused concern for a harmonised elaboration of Member States despite their principal autonomy regarding EU law implementation. Yet, European Data Protection Board and national supervising authorities, mostly information commissioners and revealed by Slovenian case study in this article, express a need to regulate some issue more decidedly. Interestingly, yet not surprisingly, their focus is dominantly related to procedural aspects, since it is established so in administrative science and in several European Commission documents, that procedure highly influences the results. Hereby, the article elaborates, why and which are the relevant procedural issues to be addressed in future for a harmonised enforcement of General Data Protection Regulation (GDPR), in force since 2018. Research methods applied are various, combining qualitative, normative and comparative analyses, and quantity approach, especially statistical data from annual reports over the recent years of 2020, 2021, and 2022. The results show a lack of procedural provisions in several elements, from defining parties to the procedure, their defence rights, particularly acces to the file, to be heard, and complain, as well as one-stop-shop access to legal protection, deadlines and investigative powers for efficient procedures. Consequently, procedural institutes of national Administrative Procedure Act (APA) should sufficiently cover the gaps. However, as explained in the article based on the Slovenian experience, said solution is highly limited due to differing rule of national regulations and rather low level of awareness of APA relevance in data protection field even at supervising authorities, hence the authors argue there is a need to develop and adopt joint EU rules upon these questions.