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## **A fair balance: health data protection and the promotion of health data use for clinical and research purposes**

Kist, I.R.

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#### Court of Justice of the European Union

- Bodil Lindqvist (Court of Justice of the European Union, 2003). ECLI:EU:C:2003:596.
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- Digi Távközlési és Szolgáltató Kft v. Nemzeti Adatvédelmi és Információszabadság Hatóság (Court of Justice of the European Union, 2022). ECLI:EU:C:2022:805.
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#### European Court of Human Rights

- Young, James & Webster v. United Kingdom, 7601/76; 7806/77 (European Court of Human Rights, 1981). <https://hudoc.echr.coe.int/app/conversion/docx/?library=ECHR&id=001-57608&filename=CASE%20OF%20YOUNG%2C%20JAMES%20AND%20WEBSTER%20v.%20THE%20UNITED%20KINGDOM.docx&logEvent=False>
- Gaskin v. United Kingdom, 10454/83 (European Court of Human Rights, 1989). [https://www.stradalex.eu/en/se\\_src\\_publ\\_jur\\_eur\\_cedh/document/echr\\_10454-83](https://www.stradalex.eu/en/se_src_publ_jur_eur_cedh/document/echr_10454-83)
- Herczegfalvy v. Austria, 10533/83 (European Court of Human Rights, 1992). [https://www.stradalex.eu/en/se\\_src\\_publ\\_jur\\_eur\\_cedh/document/echr\\_10533-83\\_001-55619](https://www.stradalex.eu/en/se_src_publ_jur_eur_cedh/document/echr_10533-83_001-55619)

- Z v. Finland, 22009/93 (European Court of Human Rights, 1997). <https://www.globalhealthrights.org/wp-content/uploads/2013/02/EComHR-1995-Z-v.-Finland.pdf>
- Christine Goodwin v. United Kingdom, 28957/95 (European Court of Human Rights, 2002). <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-60596%22%7D%7B%22display%22:%5B%22001-60596%22%7D%7B%22itemid%22:%5B%22001-60596%22%7D%7D%7D>
- Pretty v. United Kingdom, 2346/02 (European Court of Human Rights, 2002). [https://www.equalrightstrust.org/ertdocumentbank/Microsoft%20Word%20-%20Case%20of%20Pretty%20v%20UK%20\\_2\\_.pdf](https://www.equalrightstrust.org/ertdocumentbank/Microsoft%20Word%20-%20Case%20of%20Pretty%20v%20UK%20_2_.pdf)
- H.M. v. Switzerland, 39187/98 (European Court of Human Rights, 2002). <https://hudoc.echr.coe.int/fr#%7B%22display%22:%5B%22002-5462%22%7D%7B%22itemid%22:%5B%22002-5462%22%7D%7D%7D>
- Odièvre v. France, 42326/98 (European Court of Human Rights, 2003). <https://hudoc.echr.coe.int/app/conversion/docx/?library=ECHR&id=001-60935&filename=CASE%20OF%20ODIEVRE%20v.%20FRANCE.docx&logEvent=False>
- Gennadi Naoumenko v. Ukraine, 42023/98 (European Court of Human Rights, 2004). <https://www.womenslinkworldwide.org/en/files/2898/gjo-echr-juhnke-en-pdf.pdf>
- Jalloh v. Germany, 54810/00 (European Court of Human Rights, 2006). <https://hudoc.echr.coe.int/fre#%7B%22fulltext%22:%5B%22Jalloh%22%7D%7B%22itemid%22:%5B%22001-76307%22%7D%7D%7D>
- Copland v. United Kingdom 62617/00 (European Court of Human Rights, 2007). <https://hudoc.echr.coe.int/app/conversion/docx/?library=ECHR&id=001-79996&filename=CASE%20OF%20COPLAND%20v.%20THE%20UNITED%20KINGDOM.docx&logEvent=False>
- Tysiąc v. Poland, 5410/03 (European Court of Human Rights, 2007). [https://www.reproductiverights.org/sites/crr.civicactions.net/files/documents/Tysiac\\_v\\_Poland\\_web.pdf](https://www.reproductiverights.org/sites/crr.civicactions.net/files/documents/Tysiac_v_Poland_web.pdf)
- Renolde v. France, 5608/06 (European Court of Human Rights, 2008). <https://policehumanrightsresources.org/renolde-v-france-application-no-5608-05>

### **Germany**

Bundesverfassungsgericht (1983). ECLI:DE:BVerfG:1983:rs19831215.1bvr020983.

### **The Netherlands**

- 1590 Besch (Hoge Raad der Nederlanden, 1985). ECLI:NL:HR:1985:AC9105
- Bespiede bijstandsmoeder (Hoge Raad der Nederlanden, 1987). ECLI:NL:HR:1987:AG5500
- Schending informatieplicht arts (Hoge Raad der Nederlanden, 2001). ECLI:NL:PHR:2001:AD3963
- Baby Kelly (Hoge Raad der Nederlanden, 2005). ECLI:NL:HR:2005:AR5213
- SGP (Gerechtshof 's-Gravenhage, 2007). ECLI:NL:GHSGR:2007:BC0619
- Staat der Nederlanden tegen Clara Wichmann C.S. (SGP-Uitspraak) (Hoge Raad der Nederlanden, 2010) ECLI:NL:PHR:2010:BK4549
- Patient X/Tandarts Y (Rechtbank Amsterdam, 2013). ECLI:NL:RBAMS:2013:7837
- Millemam (Hoge Raad der Nederlanden, 2013). Conclusie in cassatie: ECLI:NL:PHR:2013:BY4859
- Cassatie: ECLI:NL:GHAMS:2010:BO7698.
- Data Privacy Stichting (Rechtbank Amsterdam, 2023). ECLI:NL:RBAMS:2023:1407.