Round Table May 13, 2016

“Data Privacy Advocacy: From Safe Harbour to the Privacy Shield”

Supported by the EUI Max Weber Programme, the Centre for Judicial Cooperation and the Leibniz Institute for Information Infrastructure

Participants: Guy Aitchison (Max Weber Fellow, EUI), Julia Ballaschk (Danish Parliament), Anna Beckers (Max Weber Fellow, EUI), Franziska Boehm (Leibnitz Institute for Information Infrastructure), Deirdre Curtin (LAW, EUI), Anna Fielder and Tomaso Falchetta (Privacy International), Orla Lyskey (LSE), David Martin (BEUC), Jed Odermatt (Max Weber Fellow, EUI), Marc Rotenberg (Electronic Privacy Information Center), Giovanni Sartor (LAW, EUI), Martin Scheinin (LAW, EUI), Christoph Sobotta (Court of Justice of the European Union), Bilyana Petkova (Max Weber Fellow, EUI), Bruno De Witte (LAW, EUI).

Privacy advocates – the people and organisations that challenge the development of increasingly intrusive ways in which personal information is collected, processed and disseminated – have stood behind many of the recent developments in the field of privacy and data protection regulation in the European Union and beyond.

After almost five years and nearly 4000 amendments, the new European General Data Protection Regulation is about to be voted by the European Parliament. The judgments of the European Court of Justice’s (ECJ) in Digital Rights Ireland, Google Spain and Schrems have placed the EU fundamental rights to privacy and data protection centre stage. Additionally, the European Court of Human Rights (ECHR) has recently taken a strong stance against limitless government surveillance, for example in Zakharov v Russia and Szabó and Vissy v Hungary, while several surveillance complaints against the UK are currently pending before that court. The case law of the two European Courts also has implications on a transatlantic scale as the invalidation of the Safe Harbour decision of the European Commission has shown. However, in the wake of recent negotiations on new bilateral agreements with the US (the Privacy Shield and Umbrella Agreement), many are asking whether the fundamental rights talk in Europe remains purely rhetorical. What if privacy is a fundamental right and nobody noticed?

We invite you for a focused discussion on the future of privacy advocacy in Europe and beyond. Chatham rules apply. The discussion will take place at the Max Weber Common Room, Badia Fiesolana, Via Roccettini, 9, 50014, San Domenico di Fiesole, Florence.
Programme:

14:30 Welcome by Prof. Deirdre Curtin & Dr. Bilyana Petkova

Moderator: Dr. B. Petkova (Max Weber Fellow, LAW)

14:45 Prof. Marc Rotenberg (Electronic Privacy Information Center):
Strategic Litigation and Strategic Enforcement: A Transatlantic Perspective

15:00 Dr. Christoph Sobotta (European Court of Justice)
The Schrems case and its consequences

15:15 Discussion

16:00 Coffee break

Moderator: Dr. Guy Aitchison (Max Weber Fellow, SPS)

16:15 Prof. Franziska Boehm (FIZ, Leibniz Institute for Information Infrastructure)
The Emperor’s New Clothes: The Privacy Shield Agreement

16:30 Prof. Orla Lynskey (London School of Economics)
Key Aspects of the New General Data Protection Regulation

16:45 Discussion

17:00 Closing Remarks from the Organizers

19:00 Dinner “Pensione Bencista”