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FIZ Karlsruhe
Leibniz-Institut für Informationsinfrastruktur

Round Table May 13, 2016, 14:00-18:00 **MWP Common Room**

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

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

Participants: Guy Aitchison (Max Weber Fellow, EUI), Julia Ballaschk (Danish Parliament), Anna Beckers (Max Weber Fellow, EUI), Franziska Boehm (Leibniz Institute for Information Infrastructure), Deirdre Curtin (LAW, EUI), Anna Fielder and Tomaso Falchetta (Privacy International), Orla Lynskey (LSE), David Martin (BEUC), Jed Odermatt (Max Weber Fellow, EUI), Marc Rotenberg (Electronic Privacy Information Center & Georgetown Law), Giovanni Sartor (LAW, EUI), Martin Scheinin (LAW, EUI), Max Schrems (law student/privacy activist), Christoph Sobotta (Court of Justice, Luxembourg), Bilyana Petkova (Max Weber Fellow, 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 been 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 General Data Protection Regulation has been approved by the European Parliament. The judgments of the European Court of Justice (ECJ) in *Digital Rights Ireland*, *Google Spain* and *Schrems* have placed the EU rights to privacy and data protection centre stage. Additionally, the European Court of Human Rights (ECtHR) has recently taken a strong stance against unlimited 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 these two European Courts also has transatlantic implications as the invalidation of the Safe Harbour decision of the European Commission showed. However, in the wake of recent negotiations on new bilateral agreements with the US (the Privacy Shield and the Umbrella Agreement), many are asking whether the fundamental rights claims in Europe remain merely rhetorical. Ultimately, how do all these cases, laws and bilateral agreements relate to one another?

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:

14:00 Welcome by Professor Deirdre Curtin & Dr. Bilyana Petkova

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

14:15 Max Schrems (law student/privacy activist)

Data Privacy Advocacy: A European Perspective

14:30 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: Professor Deirdre Curtin (Director of Centre for Judicial Cooperation, EUI; Professor of EU Law)

16:15 Professor Franziska Boehm (FIZ Karlsruhe-Liebniz Institute)

The Emperor's New Clothes: The Privacy Shield Agreement

16:30 Dr. 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" (upon invitation)