

: PARTICLES . . OF . . TRUTH : . . .

13<sup>th</sup> INTERNATIONAL CONFERENCE 22 - 24 JAN 2020 9 BRUSSELS, BELGIUM

**CPDP DATA PROTECTION AND  
2020 ARTIFICIAL INTELLIGENCE**

Cover art © David Shrigley

13<sup>th</sup> INTERNATIONAL CONFERENCE  
22 - 24 JAN 2020 • BRUSSELS, BELGIUM  
COMPUTERS, PRIVACY  
& DATA PROTECTION  
**CPDP2020**  
DATA PROTECTION  
AND ARTIFICIAL  
INTELLIGENCE  
WWW.CPDPCONFERENCES.ORG

## FOREWORD

Dear participants of CPDP, dear colleagues, dear friends,

I am very happy to welcome you to Brussels, the data protection capital of Europe, for the 13th edition of CPDP! I hope many of you already enjoyed our pre-events including Privacy Camp and the CPDP opening night event on ePrivacy regulation.

For this edition, CPDP takes Artificial Intelligence as its focus to pave the way for a timely and thorough discussion over a broad range of ethical, legal and policy issues related to new technologies and data analytics. Every now and then, we are getting bombarded with wild claims about how AI is going to disrupt everything. It seems to me that there is quite a remarkable gap between AI's aspirations and truths (which makes the cover art of the CPDP2020 booklet even more meaningful for me. Kudos to David Shrigley!). It's time we get on the same page as to what AI is and, perhaps more importantly, what we want it to be so that we can direct our efforts into the right direction to regulate AI. Bringing together a diverse blend of stakeholders, disciplines and approaches, CPDP has proven over the years to be the ideal platform to address and tackle complex issues such as this one. Our conference programme promises to provide insightful talks and engaging discussions, to say the least.

Besides 3 days of panels across 5 stages, CPDP will also feature a range of exciting side events including 'Mensch Maschine', a stellar art exhibition exploring machine learning, CPDP soundsystem, an enriching audio experience covering the topics of AI, data protection and privacy, as well as our famous PechaKucha evening. And please do join us for the official CPDP party on Thursday evening to blow off some steam after intense days of discovering, discussing and networking.

I look forward to meeting many new faces and old friends and hope all of you will enjoy our conference!

Warm regards,



Paul De Hert



## GENERAL CONGRESS INFORMATION

### INFORMATION DESK

We provide general information about the conference and inquiries about Brussels at the information desk in La Ruelle – located just inside the main entrance.

### INTERNET LOGIN AND PASSWORD

Select SSID or Network: CPDP • Password: CPDP2020

### VENUES

CPDP takes place simultaneously in two venues. Two tracks of sessions will take place at Area 42 Grand and Petit rooms. Area 42 is located at 3 minutes walking distance (250 m) from Les Halles. Maps will be available at the information desk in La Ruelle. There will be signposts and students will be available on Wednesday to show the way to Area 42.

### LE VILLAGE @ LES HALLES & LOUNGE @ AREA 42

Welcome to Le Village (located in the Grande Halle) and Lounge @ Area 42 where you can meet your colleagues for networking during the coffee breaks and lunch. All sponsor booths are located in Le Village, where the receptions will take place.

During the sessions, Le Village/Lounge is closed (silent room!). The bars in La Ruelle and in Area 42 stay open for drinks (cash bar). Switch off your phone during all sessions please.

### MEZZANINNE

On the Mezzanine (The Balcony) we provide a terrace where you can have your lunch or breaks. Entrance via the staircases in Le Village.

During the sessions, the Mezzanine is a silent room! Switch off your phone or put it on silent mode during all sessions please.

### NAME BADGE

You will receive a name badge with the dates of attendance. This is according to your registration. In case you would like to change your badge, please ask at the registration desk.

### CHOOSE YOUR PRIVACY PREFERENCES AT CPDP 2020!

A professional photographer will be taking photos at the conference venues, including crowd shots, which then will be used for publicity. If you don't want to be photographed, please opt for an orange no-photo lanyard at the registration desk, and make sure to wear it visibly.

### TAXI

Please do not ask the information desk to call a taxi for you, please do this yourself. Companies like to know your name and phone number to avoid other people getting into the taxi you ordered. Taxi Verts T +32 2 349 49 49

### UPDATES AND CONGRESS NEWS

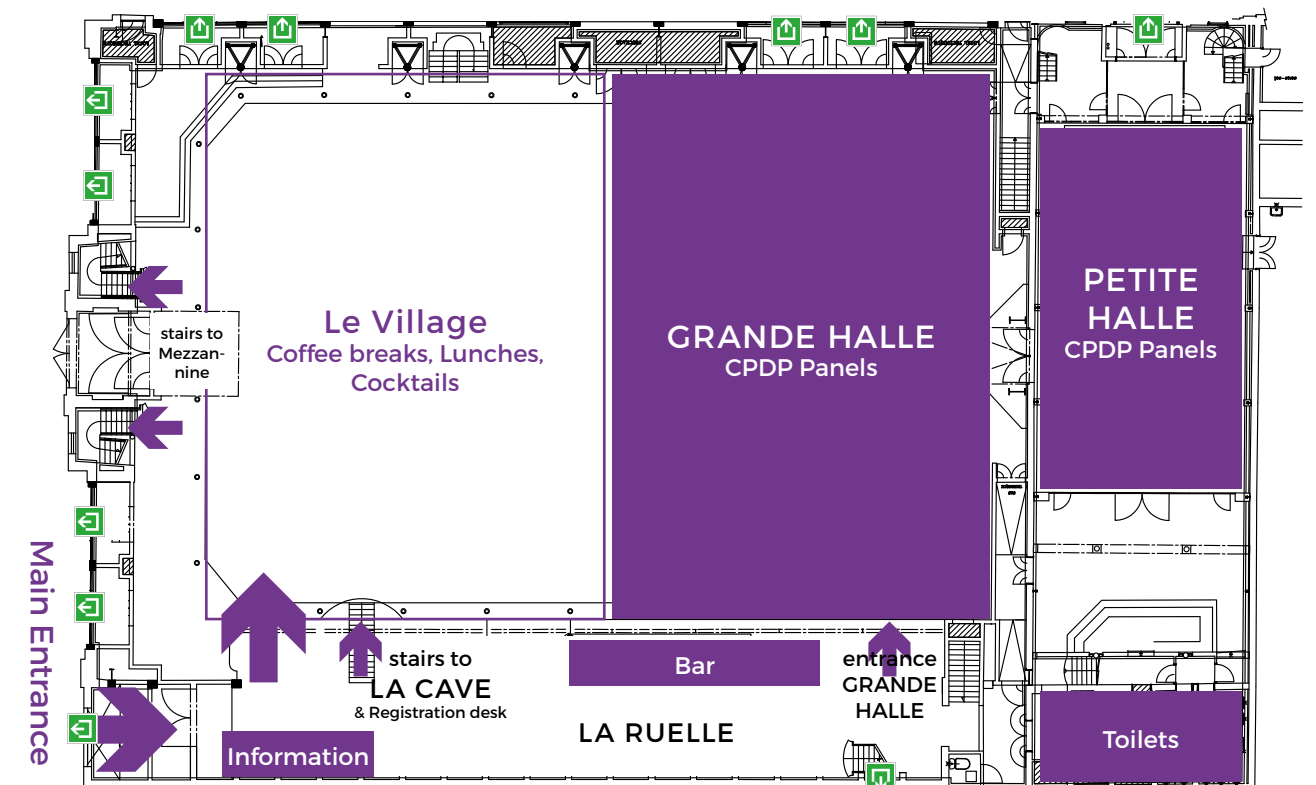
Please find information at the registration desk, information desk and on the screens in the venue. Alternatively, have a look at the CPDP homepage: [www.cdpdconferences.org](http://www.cdpdconferences.org) and twitter @cpdpconferences.org

### VIDEO RECORDING

Is CPDP watching you? Well... a bit. You might be interested to know that all panels will be filmed at the Conference venue. Please check out our youtube channel: [www.youtube.com/user/CPDPConferences](http://www.youtube.com/user/CPDPConferences).

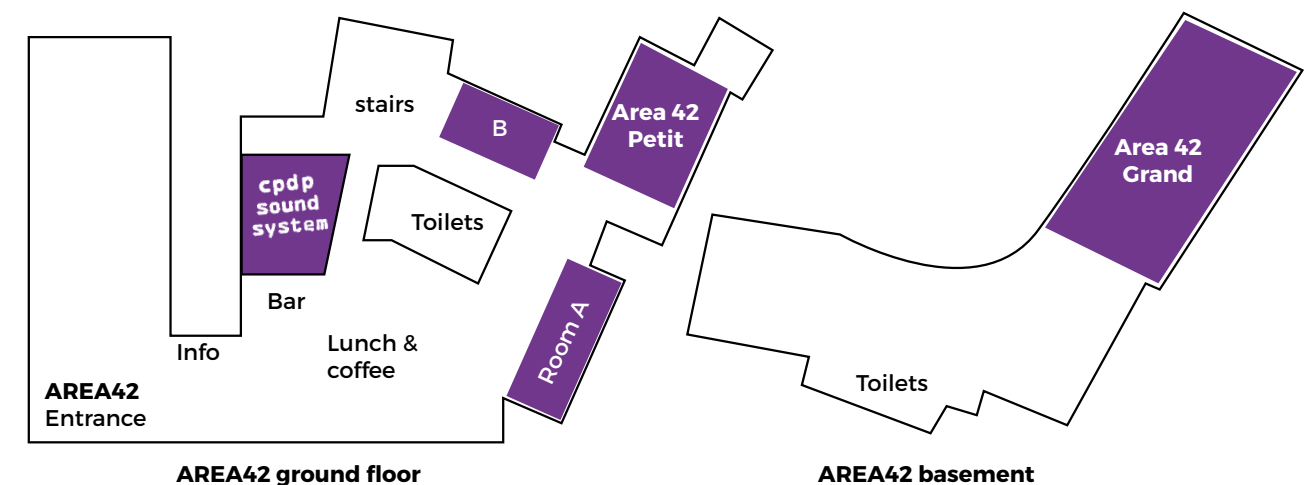
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## LES HALLES



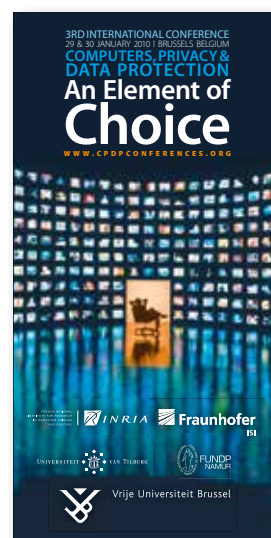
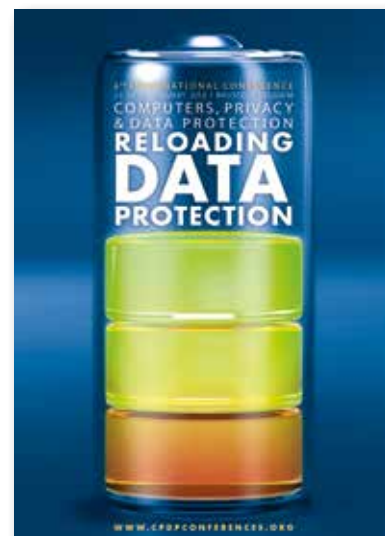
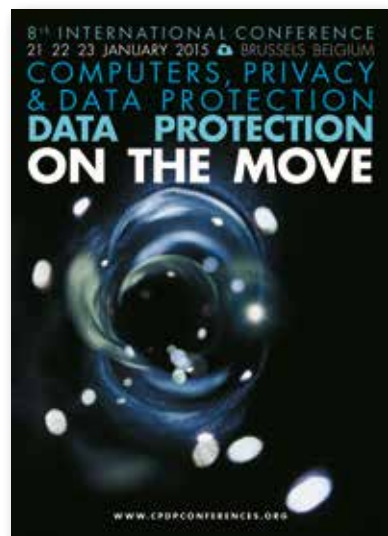
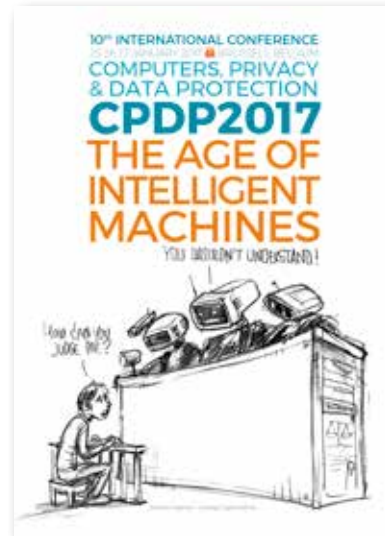
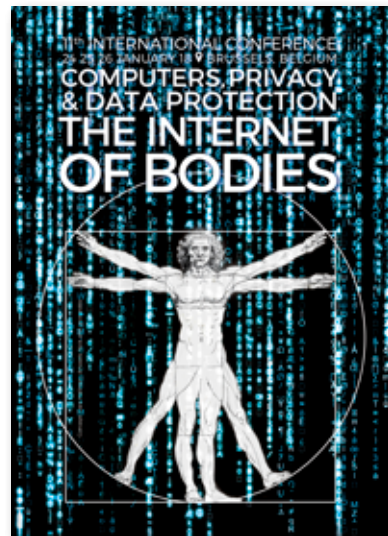
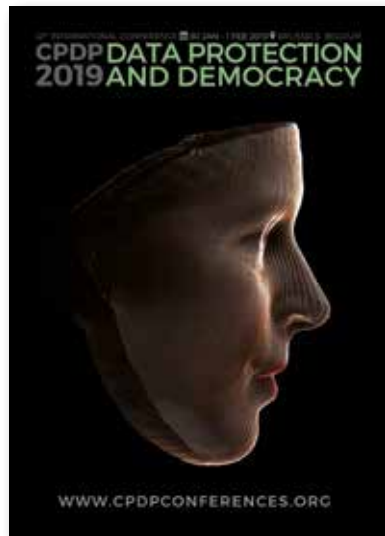
Les Halles, Rue Royale-Sainte-Marie 22, 1030 Brussels ([www.halles.be](http://www.halles.be))

## AREA 42



Area 42, Rue des Palais 46, 1030 Brussels (a 5-minute walk from les Halles de Schaerbeek)





## CPDP CONFERENCE BOOKS

### Books based on papers presented at previous CPDP conferences:

- **NEW** Dara Hallinan, Ronald Leenes, Serge Gutwirth, Paul De Hert, **Data Protection and Privacy, Vol. 12, Data Protection and Democracy**, Oxford : Hart Publishing, 2020. (<https://www.bloomsburyprofessional.com/uk/data-protection-and-privacy-9781509932740/>)
- Leenes, R., Van Brakel, R., Gutwirth, S. and P. De Hert, **Data Protection and Privacy, Vol. 11, The Internet of Bodies**, Oxford : Hart Publishing, 2018 (<https://www.bloomsburyprofessional.com/uk/data-protection-and-privacy-9781509926206/>)
- Leenes, R., Van Brakel, R., Gutwirth, S. and P. De Hert, **Data Protection and Privacy: The Age of Intelligent Machines**, Oxford: Hart Publishing, 2017 (<https://www.bloomsburyprofessional.com/uk/data-protection-and-privacy-9781509919345/>)
- Leenes, R., Van Brakel, R., Gutwirth, S., and P. De Hert, **Computers, Privacy and Data Protection: Invisibilities & Infrastructures**. Dordrecht: Springer, 2017 (<http://www.springer.com/gp/book/9783319507958>)
- Gutwirth, S., Leenes, R. and P. De Hert, **Data Protection on the Move**, Dordrecht: Springer, 2016 ([www.springer.com/gp/book/9789401773751](http://www.springer.com/gp/book/9789401773751))
- Gutwirth, S., Leenes, R. and P. De Hert, **Reforming European Data Protection Law**, Dordrecht: Springer, 2015 ([www.springer.com/law/international/book/978-94-017-9384-1](http://www.springer.com/law/international/book/978-94-017-9384-1))
- Gutwirth, S., Leenes, R. and P. De Hert, **Reloading Data Protection**, Dordrecht: Springer, 2014. ([www.springer.com/law/international/book/978-94-007-7539-8](http://www.springer.com/law/international/book/978-94-007-7539-8))
- Gutwirth, S., Leenes, R., De Hert, P. and Y. Poulet, **European Data Protection: Coming of Age** Dordrecht: Springer, 2012. ([www.springer.com/law/international/book/9-](http://www.springer.com/law/international/book/9-))
- Gutwirth, S., Leenes, R., De Hert, P. and Y. Poulet, **European Data Protection: In Good Health?** Dordrecht: Springer, 2012. ([www.springer.com/law/international/book/978-94-007-2902-5](http://www.springer.com/law/international/book/978-94-007-2902-5))
- Gutwirth, S., Poulet, Y., De Hert, P. and R. Leenes eds. **Computers, Privacy and Data Protection: an Element of Choice**. Dordrecht: Springer, 2011. ([www.springer.com/law/international/book/978-94-007-0640-8](http://www.springer.com/law/international/book/978-94-007-0640-8))
- Gutwirth, S., Poulet, Y., and P. De Hert, eds. **Data Protection in a Profiled World**. Dordrecht: Springer, 2010. ([www.springer.com/law/international/book/978-90-481-8864-2](http://www.springer.com/law/international/book/978-90-481-8864-2))
- Gutwirth, S., Poulet, Y., De Hert, P., de Terwangne, C., and S. Nouwt, eds. **Reinventing Data Protection?** Dordrecht: Springer, 2009. ([www.springer.com/law/international/book/978-1-4020-9497-2](http://www.springer.com/law/international/book/978-1-4020-9497-2))

## RESTAURANTS

- **Le Chambord** (Italian, Belgian) €€  
Chaussée de Haecht 10 (close to Bloom)  
+32 (0) 2 223 35 70  
Open: 12:00 - 15:00 and 17:30 - 23:00
- **Brasserie De Groene Ezel** (Belgian) €€  
Rue Royale Sainte Marie 11, 1030 Brussels  
+32 (0) 2 217 26 17  
Open: 11.30-14.30 and 18.30-23.00
- **Le Millenium** (Italian) €€  
Rue de Bériot 52 (not far from Bloom)  
+32 (0) 2 223 03 55  
Open 10.30-24.00
- **La Mamma** (Authentic Italian Food) €€€  
Place Saint Josse 9, 1210 Brussels  
+32 (0) 2 230 53 00  
Open: 12.00-16.00 and 18.30-23.30
- **Les Dames Tartine** (Old-Fashioned luxury) €€€  
Chaussée de Haecht 58, 1210 Brussels  
+32 (0) 2 218 45 49  
Open: lunch and supper
- **Café Bota** (inside Le Botanique) (Italian) €€  
Rue Royale 236, 1210 Brussels  
+32 (0) 2 226 12 28  
Open: 12-14.30 and 18.30-23.00

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## LOGISTICS AND ADMINISTRATIVE SUPPORT



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WEDNESDAY 22<sup>ND</sup> JANUARY 2020

22.1	GRANDE HALLE	AREA 42 GRAND
7.30	Registration in La Cave	Registration in La Cave
8.30	Welcome and Introduction by Paul De Hert	Welcome and Introduction in Grande Halle
8.45	Emotional AI and Empathic Technologies: Rights, Children and Domestication organised by CPDP and Bangor University	The GDPR is easy: (Un)tangling SME compliance hurdles organised by STARII and EURECAT
10.00	Coffee break	Coffee break
10.30	Healthy AI for access, sharing and protection of sensitive data organised by Intel	Access to Digital Evidence: From Blocking Statutes to International Agreements? organised by GeorgiaTech
11.45	GDPR and New Technologies: Enough, or do we need more? organised by CPDP	Digital Signage, Facial Detection and Data Privacy: Exploring the Boundaries of Smart Advertising in Public Spaces organised by NRCCL
13.00	Lunch	Facial recognition: a 'convenient' and 'efficient' solution looking for a problem? organised by Privacy Platform (Renew Europe) [STARTS 13.00, ENDS 14.15]
14.15	Unlocking societal benefits of AI with privacy protective technologies organised by Google	14.15 Automated Facial Recognition: Where to Put the Red Line? organised by INRIA
15.30	Coffee break	Coffee break
16.00	Automatic Face Recognition in the UK: Policy and Practice organised by CRISP	(Un)explainable AI correlations for incomputable data subjects: a classifying society? organised by Sant'Anna School of Advanced Studies of Pisa
17.15	Face Surveillance: Current Status, Future Action organised by EPIC	Children's Privacy in the digital age organised by CPDP
18.30	Award Ceremony EPIC CHAMPION OF FREEDOM AWARD and CNIL-Inria PRIVACY PROTECTION AWARD in Grande Halle	
18.50	Cocktail sponsored by EPIC in Le Village	

PETITE HALLE	LA CAVE	AREA 42 PETIT
Registration in La Cave	Registration in La Cave	Registration in La Cave
Welcome and Introduction in Grande Halle	Welcome and Introduction in Grande Halle	Welcome and Introduction in Grande Halle
Enforcement of GDPR – a reality check organised by Heinrich-Böll-Stiftung and Trans Atlantic Consumer Dialogue	Building Privacy Foundations Today for Tomorrow's Tech organised by NIST	Closed session
Coffee break	Coffee break	Coffee break
GDPR Data Protection Icons and Transparency: Where do we stand? organised by Einstein Center Digital Future	Security meets data protection: risk assessment, standards and certification organised by ENISA	Can Ethics be Standardised? organised by IEEE
Algorithmic Regulation of Transportation organised by Uber	The One-Stop-Shop: twenty months on organised by EDPB	Ethics and law in data protection organised by VUB LSTS
Lunch	Lunch	Lunch
The Future is Now: Autonomous Vehicles, Trolley Problem(s) and How to Deal with Them organised by Future of Privacy Forum	We need to talk about filters: algorithmic copyright enforcement vs data protection organised by reCreating Europe	Junior Academic Session I organised by CPDP
Coffee break	Coffee break	Coffee break
Responsible AI: Is There Global Convergence? organised by BSA   The Software Alliance	Regulating AI in Security Law organised by PinG and DAV	Junior Academic Session II organised by CPDP
Liquid AI: Accountability and governance of transnational AI systems organised by IVIR	The state of the art requirement for GDPR security measures organised by Radboud University	Senior Academic Session I organised by CPDP
Award Ceremony EPIC CHAMPION OF FREEDOM AWARD and CNIL-Inria PRIVACY PROTECTION AWARD in Grande Halle		
Cocktail sponsored by EPIC in Le Village		

# WEDNESDAY 22<sup>ND</sup> JANUARY 2020

07:30 - Registration in La Cave

08:15 - Welcome coffee in Le Village

## CPDP2020 PANELS AT GRANDE HALLE

08:30 - Welcome and Introduction by Paul De Hert in Grande Halle

### 8:45 – EMOTIONAL AI AND EMPATHIC TECHNOLOGIES: RIGHTS, CHILDREN AND DOMESTICATION

**Academic \*\*\* Business \*\* Policy \***

**Organised by** CPDP and Bangor University

**Moderator** Andrew McStay, Bangor University (UK)

**Speakers** Frederike Kalthener, Mozilla Fellow (UK); Gilad Rosner, IOT Privacy Forum (ES); Ben Bland, Sensum (UK); Giovanna Mascheroni, Università Cattolica del Sacro Cuore (IT)

Bringing together academic, industrial and civil society expertise, this panel will address the rise of emotional AI and empathic technologies, focusing on children's toys and services. These raise human rights, privacy and data protection concerns, but also questions of technological domestication and what it means to live with systems that function by means of data about affect and emotion. The panel will aim:

- To understand forms, usages and the significance of emotional AI and empathic technologies.
- To explore a specific use case: toys and other situations where child affect/emotion data is processed.
- To consider governance (which includes human rights and law, but also other tools and approaches).
- To answer whether a future involving child data about emotions and affective states is OK in specific human-object interactions, or if it is innately wrong.

10:00 – Coffee Break

### 10:30 – HEALTHY AI FOR ACCESS, SHARING AND PROTECTION OF SENSITIVE DATA

**Academic \* Business \*\* Policy \*\*\***

**Organised by** Intel

**Moderator** Riccardo Masucci, Intel (BE)

**Speakers** Joni Komulainen, Ministry of Social Affairs and Health (FI); Effy Vayena, ETH Zürich (CH); Elettra Ronchi, OECD (INT); Alberto Gago Fernandez, DG CNECT (EU)

Over the past few years, tremendous advancements in disease detection and precision medicine have been achieved thanks to Artificial Intelligence (AI)-based systems. While increased computing capability supports complex algorithms to deploy AI for new life-enhancing and potentially life-saving uses, extracting meaningful information from health datasets translate to an increased need to protect sensitive personal information and to trust autonomous decision-making. Innovative regulatory and technological approaches should be fostered to allow for access, use, sharing, transfer and protection of data in the context of AI systems for healthcare purposes. The panel comprises policymakers, academia and industry and aims to discuss the current state of play and the most promising public policy opportunities and international initiatives.

- What are the current initiatives to promote secondary use of personal data in the healthcare sector?
- How can public and private sector collaborate to open and share high value datasets?
- Can we address privacy and ethical concerns while enabling data analytics for healthcare?

### 11:45 – THE GDPR AND NEW TECHNOLOGIES: ENOUGH, OR DO WE NEED MORE?

**Academic: \*\* Business: \*\* Policy: \*\***

**Organised by** CPDP

**Moderator** Christoph Luykx, Orgalim (BE)

**Speakers** Karolina Mojzesowicz, DG JUST (EU); Mireille Hildebrandt, VUB/Radboud University (BE/NL); Anna Fielder, EDRI (UK); William Malcolm, Google (US)

The GDPR has entered the European legal landscape with both fanfare and furore. The law promises much, including the ability to address a broad range of social problems posed by current data processing technologies and the ability to adapt to future technological progress. Yet, already, the capacity of the GDPR to deal with cutting edge data processing technologies - such as AI and blockchain - has been called into question. Such criticism seems unlikely to abate as data processing technologies continue to evolve. This panel convenes speakers from a range of sectors to debate the capacity and resilience of the GDPR in the face of technological advance.

- To what degree should law seek to keep pace with technological development?
- To what degree should data protection law seek to keep pace with new data processing technologies and the new social challenges these cause?
- What, if any, flaws does the GDPR show in its approach to addressing technological change?
- Can these deficits be addressed through the GDPR, or are other approaches necessary?

13:00 – Lunch

### 14:15 – UNLOCKING SOCIETAL BENEFITS OF AI WITH PRIVACY PROTECTIVE TECHNOLOGIES

**Academic \*\* Business \*\* Policy \*\***

**Organised by** Google

**Moderator** Ludmila Georgieva, Google (BE)

**Speakers** Bojana Bellamy, Centre for Information Policy Leadership - CIPL (UK); Cecilia Bonefeld-Dahl, DIGITAL-EUROPE (BE); Christian D'Cunha, EDPS (EU); Keith Enright, Google (US); Luciano Floridi, University of Oxford (UK)

The session will consider how these technologies and techniques are improving data protection around the world and driving better outcomes for individuals and enabling businesses and organisations to challenge the status quo. At the same time, deploying these technologies and techniques is not a magical solution or without tradeoffs and should be considered carefully. We will hear from data protection and privacy authorities, technologists, academics, lawyers, and practitioners about recent advances, promising developments, and how these technologies and techniques - when used appropriately and when combined with smart regulation - can support data protection principles and enhance privacy. We will ask how stakeholders can work together to continue improving the state of the art and make privacy-protecting technologies more widely understood and available. The discussion will touch upon the following questions:

- How can stakeholders work together to continue improving the state of the art and make privacy-protecting technologies more widely understood and available?
- What is the current use or state of the art, developments, limits and challenges of these technologies?
- How can these technologies help organisations to protect data in practice, and at the same time, unlock opportunities for innovation?

15:30 – Coffee Break

## 16:00 – AUTOMATIC FACE RECOGNITION IN THE UK: POLICY AND PRACTICE

**Academic \*\*\* Business \* Policy \*\***

**Organised by** Centre for Research into Information, Surveillance and Privacy (CRISP)

**Moderator** William Webster, University of Stirling (UK)

**Speakers** Tony Porter, Surveillance Camera Commissioner (UK); David Reichel, FRA (EU); Steven Wright, Information Commissioner's Office (UK); Hannah Couchman, Liberty (UK); Eduardo Ustaran, Hogan Lovells (UK)

The UK is often heralded as a world leader in the use of public space surveillance camera systems and over the last year this has included the deployment of AFR (Automatic Face Recognition) software, with the explicit intention of identifying persons of interest. The use of AFR has raised a number of technical, practical and governance issues, including the reliability of the matching process, the availability of a suitable database of facial images and concern about inbuilt racial bias and human rights. The use of AFR in the UK has proved to be very contentious, resulting in a judicial review of its use and the publication of reports by a number of interested stakeholders, some of whom are represented on this panel. The future of AFR in the UK is hotly contested with differing views about whether the technology should be used, whether it should be banned outright, more tightly governed or only used in certain predetermined circumstances. This panel will review the lessons learned from the UK and assess the likely patterns of future use. It will draw on academic, practitioner and regulatory perspectives, and will examine the key policy and governance issues associated with the use of AFR technology.

- What is the UK experience of using AFR in public space surveillance camera systems?
- How effective is AFR technology?
- What are the practical and policy issues emerging around the use of AFR technology?
- How should AFR technology be governed and regulated?

## 17:15 – FACE SURVEILLANCE: CURRENT STATUS, FUTURE ACTION

**Academic \*\*\* Business \* Policy \*\***

**Organised by** EPIC

**Moderator** Estelle Masse, Access Now (BE)

**Speakers** Woodrow Hartzog, Northeastern University (US), Lorraine Kisselburgh, Purdue University (US), Valeria Milanese, Asociación por los Derechos Civiles (AR); Frank Torres, Microsoft (US)

The panel will provide an update on the current use of facial recognition and face surveillance techniques around the world. The aim is to assess the current status, understand the regulatory response, and draw attention to advocacy efforts. The panel builds on a call for a moratorium announced at the privacy commissioners conference in Tirana (<https://thepublicvoice.org/ban-facial-recognition/>).

- What are the benefits of facial recognition and what are the risks?
- Are there unique privacy concerns with facial recognition?
- What efforts have been taken to regulate the use of facial recognition? Are there any common themes in these approaches?
- Why have advocacy organisations raised concern about facial recognition?
- Is it possible to deploy a system of facial recognition in a public space that complies with the GDPR?

## 18:30 – EPIC INTERNATIONAL CHAMPION OF FREEDOM AWARD AND CNIL-INRIA PRIVACY PROTECTION AWARD CEREMONY

**More information** side events section at the back of the brochure (p. 5)

18:50 - Cocktail Sponsored by EPIC in Le Village

## CPDP2020 PANELS AT AREA 42 GRAND

### 8:45 – THE GDPR IS EASY: (UN)TANGLING SME COMPLIANCE HURDLES

**Business \*\*\* Policy \*\*\***

**Organised by** STARII and EURECAT

**Moderator** Annika Linck, European DIGITAL SME Alliance (BE)

**Speakers** Joan Antokol, Park Legal LLC (US); Mistale Taylor, Trilateral Research (IE); Narseo Vallina-Rodriguez, IMDEA Networks/AppCensus (ES/US); Karen Clements, LOW (BE)

SMEs are the backbone of European economy: they employ 2 out of 3 employees and produce 57 cents of every euro of value added. Some Data Protection Authorities (DPAs) suggest that attaining compliance with the GDPR for SMEs is fairly easy. Complying with the GDPR, however, poses distinctive challenges for SMEs – apart from lack of awareness, they rarely can afford professional legal advice. Therefore, SMEs have distinct GDPR related needs and merit special support from public authorities – DPAs. In view of this, the panel will first identify those distinct needs of SMEs and then it will turn to the discussion on ways in which public and private actors could help SMEs to move from a relatively good level of awareness to actual compliance with the GDPR.

- What are the perceived distinct GDPR related needs of SMEs?
- What kind of assistance could SMEs expect and demand from DPAs?
- What traditional and alternative (e.g. AI) solutions facilitating GDPR compliance for SMEs are available on the market?
- What's the perspective of an SME owner?

10:00 – Coffee Break

### 10:30 – ACCESS TO DIGITAL EVIDENCE: FROM BLOCKING STATUTES TO INTERNATIONAL AGREEMENTS?

**Academic \*\* Business \*\* Policy \*\***

**Organised by** Georgia Institute of Technology

**Moderator** Theodore Christakis, University Grenoble Alpes (FR)

**Speakers** Florence Raynal, CNIL (FR); Ralf Sauer, DG JUST (EU); Birgit Sippel, Member of the European Parliament (EU); Peter Swire, Georgia Institute of Technology (US)

This is a very important period for the making of legal regimes for cross border access to digital evidence. Evidence of crimes used to exist locally; today e-evidence, essential in investigating crimes, is often stored in a different jurisdiction. The US Cloud Act enables some foreign governments to access content data directly from US-based service providers, after the conclusion of bilateral agreements lifting, partially, the SCA blocking statute. The first such Agreement was signed recently between the UK and the US. However, the Cloud Act also raised the question of eventual conflicts with the GDPR. The US and the EU have started negotiations in order to conclude an agreement and avoid conflicts of laws. And this while work on the E-Evidence Regulation becomes intensive at the EU, after the recent publication of the LIBE Committee Draft E-Evidence Report.

- What are the main proposals and features of the LIBE Committee Draft E-Evidence Report and what is the way forward for E-Evidence?
- When does the GDPR act as a “blocking statute,” to prohibit transfers of personal data in response to requests by non-EU law enforcement agencies?
- What is the correct interpretation of article 48 of the GDPR in this respect and how does this article relate to “the lawful bases for transfer” under Articles 45 and 46 of GDPR and to the “derogations” recognised by article 49?
- What are the main features of the US/UK Cloud Act Agreement and what could be its influence for the ongoing US/EU negotiations?



## 11:45 – DIGITAL SIGNAGE, FACIAL DETECTION AND DATA PRIVACY: EXPLORING THE BOUNDARIES OF SMART ADVERTISING IN PUBLIC SPACES

**Academic \*** **Business \*\*** **Policy \*\*\***

**Organised by** Norwegian Research Center for Computers and Law, University of Oslo

**Moderator** Luca Tosoni, University of Oslo (NO)

**Speakers** Aurelia Tamò-Larrieux, University of Zurich (CH); Julia Chrusciel, Georgetown University Law Center (US); Tobias Judin, Norwegian Data Protection Authority (NO); Denis Gaumondie, Quividi (FR)

Increasingly, billboards made from paper or paint are being swapped for screens equipped with digital signage and facial detection capabilities. These can be used to make advertisements interactive, to conduct audience analytics or even to tailor advertisements based on the appearance of passers-by. As these advertising techniques do not (necessarily) store any personal data, assessing both their impact on individuals' privacy and the applicability of data privacy laws is difficult. The diverging approaches taken by European Data Protection Authorities are illustrative of these difficulties. The primary focus of this panel is to canvas key issues in this context with the goal of achieving a sensible and consistent regulatory approach across the EU and beyond. In addition, the panel will discuss how such advertising techniques fit within the broader discussion of comparable technologies such as WiFi tracking and facial recognition for law enforcement purposes. The discussion will focus on the following main questions:

- Are current data privacy laws applicable to advertising practices which rely on facial detection?
- If so, what are the obligations of the various actors involved?
- Are these practices to be treated with similar caution to comparable facial recognition technologies, or are current best practices to be lauded as an approach that balances innovation with protection of individual rights?

## 13:00 – FACIAL RECOGNITION: A 'CONVENIENT' AND 'EFFICIENT' SOLUTION LOOKING FOR A PROBLEM?

**Organised by** Privacy Platform (Renew Europe)

**Moderator** Sophie in't Veld, Member of European Parliament, Renew Europe (EU)

**Speakers** Lotte Houwing, Bits of Freedom (NL); Cornelia Kutterer, Microsoft (BE); Gwendal Le Grand, CNIL (FR)

The fast developing new technology of facial recognition is increasingly present in the public debate, and is often presented as a 'convenient' or 'efficient' solution for both consumers and the public good. We are made to believe that paying for our groceries by facial recognition will be common sense in just a few years and will be so much more efficient. Or that we will all have digital identities based on facial recognition in order to communicate with our authorities. Or that we can soon travel without scanning our passports, but just cross borders by scanning our faces. Experiments on all these examples are already being carried out, disguised as "innovation" and "research". The current debate as to whether this use of our most unique feature, our face, is socially and ethically desirable cannot keep up with the imagination of the whiz-kids developing this technology, and who are selling their 'smart' technology to product developers and authorities. The panel will discuss the ethical aspects of facial recognition. Are the "convenient" solutions that facial recognition technology promises answers to real problems? To what extent should people be protected against facial recognition and related function creep? Where do we draw the boundary between what should be "desirable" and what is "possible" technologically? Should the EU ban the use of facial recognition by law enforcement, as in California, or can we allow this and "innovate" and "experiment", like the French idea to give citizens a 'digital identity'?

## 14:15 – AUTOMATED FACIAL RECOGNITION: WHERE TO PUT THE RED LINE?

**Academic \*\*** **Business \*** **Policy \*\*\***

**Organised by** Inria

**Moderator** Daniel Le Métayer, Inria (FR)

**Speakers** Andrew Charlesworth, University of Bristol (UK); Megan Goulding, Liberty (UK); Els Kindt, KU Leuven - CiT-iP (BE), Universiteit Leiden - eLaw (NL) and EAB (European Association for Biometrics); Gwendal Le Grand, CNIL (FR)

Automated facial recognition and face analysis are becoming increasingly used both in the private sector and in the public sector. Security is the most documented and debated application area - in particular the use by police forces - but these technologies are also deployed, or experimented with, in many other areas, either to make life easier or to improve "customer experience". For example, they can make it possible to unlock a mobile phone without having to enter a secret code or to pay in a shopping center without having to use cash or a payment card. The huge threats to privacy posed by automated facial recognition and its impact on human rights are widely recognized and organizations, such as the CNIL, have called for a democratic debate on the topic. The key issue that we would like to discuss in this panel is the best way to control the development of these technologies. In particular, we would like to ask the following questions:

- Is it possible to draw a red line and identify uses of automated facial recognition or facial analysis (sentiment analysis, etc.) that should be banned?
- Considering the creeping dissemination of these technologies, is it possible that even seemingly mundane uses of automated facial recognition contribute to acclimatize people so that the generalization of these technologies will, in fact, become natural very soon (meaning the end of anonymity)?
- If automated facial recognition systems have to be assessed on a case by case basis, how should we proceed to evaluate them? Are privacy impact assessment methods well suited to this purpose?
- Do we need new dedicated regulation for automated facial recognition in Europe or is the GDPR sufficient?

## 15:30 – Coffee Break

## 16:00 – (UN)EXPLAINABLE AI CORRELATIONS FOR INCOMPUTABLE DATA SUBJECTS: A CLASSIFYING SOCIETY?

**Academic \*\*\*** **Business \*** **Policy \*\***

**Organised by** Lider-Lab Sant'Anna School of Advanced Studies of Pisa

**Moderator** Giovanni Comandé, Sant'Anna School of Advanced Studies of Pisa (IT)

**Speakers** Stefano Braghin, IBM (IE); Reuben Binns, ICO (UK); Fosca Giannotti, CNR (IT); Eike Gräf, DG JUST (EU)

Data mining creates a totalizing datification of reality. It blurs the borders between sensitive and non-sensitive data and between personal and non-personal data. It generates a classifying society in which associative and probabilistic analytics transform any runaway data into silent and unexpected determinants of decisions. In this society, the processing of a dataset does not relate any more to an individual but rather to the category/model in which the single data subject is classified. Notwithstanding their ability to predict, data with deteriorating indirect connections to the targeted individual are often at the basis of these classifications. How compliant are they with the GDPR? In this context, should we search for explanations of how AI works, delve into the actual causality of things in real life or just be satisfied with probability? Can the GDPR help? The interdisciplinary discussion will focus on the following questions:

- What should be the role of causality, probability and explainability in the data driven society?
- Are data protection by design and by default useful in the classifying society?
- Is the GDPR the 21st century antidiscrimination law?
- Can data driven business models be reconciled with data protection?

## 17:15 – CHILDREN'S PRIVACY IN THE DIGITAL AGE

**Academic \*\*** **Business \*** **Policy \*\*\***

**Organised by** CPDP

**Moderator** Sara Roda, VUB (BE)

**Speakers** Sonia Livingstone, London School of Economics and Political Science (UK); Jen Persson, Defenddigitalme (UK); Régis Chatellier, CNIL (FR); Jürgen Bänsch, Interactive Software Federation of Europe (BE); Ruth Boardman, Bird & Bird (UK)

This panel intends to discuss children's privacy values, practices, understandings and perception of harm in today's complex

digital society. It will draw on the findings of an empirical study with secondary-school age children about online privacy and growing up in a digital age. It will debate the use of artificial intelligence in education, learning about the recommendations of the Council of Europe Consultative Committee on Convention 108+ on children's data in education and about two regulatory complaints concerning edTech products. It will look at the regulatory guidance on the use of children's data and some of the challenges that raises for those trying to implement it. Overall, the panel will discuss possible solutions at different levels: educational, regulation and design.

- Are current regulations (General Data Protection Regulation and the ePrivacy Directive) sufficient to address the privacy fears children face?
- How is artificial intelligence being used in education? What is its impact on children's privacy and personal data? What recommendations can be made?
- How can we increase the transparency of children's data collection, improve privacy control navigation and offer user-friendly features to control privacy settings? How can we cultivate industry self-regulation and standards around user access rights? Are any best practices identifiable?

18:30 - Cocktail Sponsored by EPIC in Le Village

## CPDP2020 PANELS AT PETITE HALLE

### 8:45 – ENFORCEMENT OF GDPR – A REALITY CHECK

**Business \*\*\* Policy \*\*\***

**Organised by** Heinrich-Böll-Stiftung and Trans Atlantic Consumer Dialogue

**Moderator** Burcu Kilic, TACD (US)

**Speakers** Rodolphe Genissel, CNIL (FR), Zora Siebert, Heinrich-Böll-Stiftung (DE), Pat Walshe, Privacy Matters (UK); Geff Brown, Microsoft (US)

This panel will consider how aspects of privacy and data protection are working for consumers in the European Union and the United States, with reference to the services of large platforms - e.g. Amazon, Netflix and Spotify. There are differences on how users are treated in terms of their privacy on each side of the Atlantic. While the EU has a harmonised legal base with GDPR, key objectives of EU law still require stronger oversight and enforcement, e.g. the objective to ensure that businesses are transparent and clear about the use of people's data as well as the exercise of key rights. This panel debate is timely, as an evaluation of GDPR is due by the European Commission in May 2020, while the US is slowly but surely gearing up to implementing privacy laws on the federal level. It is important that consumer and privacy organisations encourage enforcement through continued investigation and taking cases to court.

- How can regulators co-ordinate better to investigate companies' practices regarding consumer control over personal information?
- What guidance for companies is needed on the application of data protection by design, especially to guarantee the right of access?
- What are the benefits for consumers of targeted advertising techniques and do they outweigh the risks?
- How can regulators encourage data protection by design and default and discourage the use of dark patterns and other practices that prevent individuals from exercising their choices and rights?

10:00 – Coffee Break

### 10:30 – GDPR DATA PROTECTION ICONS AND TRANSPARENCY: WHERE DO WE STAND?

**Academic \*\* Business \*\* Policy \*\***

**Organised by** Einstein Center Digital Future, University of the Arts

**Moderator** Arianna Rossi, SnT, University of Luxembourg (LU)

**Speakers** Max von Grafenstein, Einstein Center Digital Future, University of the Arts (DE); Marie Schirmbeck, Weizenbaum Institute for Networked Society (DE); Anna Morgan, Data Protection Commission Ireland (IE); Régis Chatellier, CNIL (FR); Rebekka Weiß, Bitkom (DE)

Several research institutions, industries and public bodies are currently creating icon sets to enhance the transparency of personal data processing according to Art. 12 sect. 7 GDPR. Prior to possible adoption and standardization by the Commission according to sect. 8, however, the EDPB calls for an evidence-based approach to determine the efficacy of such icons. The emerging approaches follow different methodologies and goals. This panel brings together different stakeholders and takes stock of the emerging initiatives to identify the next steps for more effective transparency with a particular focus on privacy icons.

- Which current initiatives of privacy icons exist and how do they differ?
- What is the current state of research on the efficacy of privacy icons and transparency in general?
- What are the next steps, in particular, towards EU standardization of icons?

### 11:45 – ALGORITHMIC REGULATION OF TRANSPORTATION

**Academic \*\* Business \*\* Policy \*\***

**Organised by** Uber

**Moderator** Rob van Eijk, FPF (BE)

**Speakers** Simon Hania, Uber (NL); Ger Baron, City of Amsterdam (NL); Karen Vancluysen, Polis (BE); Kara Selke, Streetlight Data (US)

We are bringing together experts across the privacy, mobility, and civic space to discuss the challenges of transforming—and enforcing—transportation regulations through the use of code and algorithms. This panel aims to build upon the issue as framed by the ITIF report released earlier this year, which introduced multiple potential frameworks for integrating automated enforcement mechanisms in the transportation industry. At CPDP, we hope to reexamine this issue with the specific lens of privacy and data protection and ultimately, identify concrete steps cities and mobility operators can take to share data responsibly. Specific questions we hope to address in this panel:

- What is the proper role of governments in regulating mobility companies, and further, individual users of those companies?
- What obligations do cities have under the GDPR in the context of collecting data from the private sector? What does this mean in practice?
- Where does automated regulation meet surveillance? Does one enable the other? Is one a use case of the other? What are the ethical considerations?
- How can cities demonstrate preparedness to ingest large volumes of data? How do we develop privacy and security standards that can be feasibly adopted by both the public and private sector?

13:00 – Lunch

## 14:15 – THE FUTURE IS NOW: AUTONOMOUS VEHICLES, TROLLEY PROBLEM(S) AND HOW TO DEAL WITH THEM

**Academic \*\*\* Business \* Policy \*\***

**Organised by** Future of Privacy Forum

**Moderator** Trevor Hughes, IAPP (US)

**Speakers** Sophie Nerbonne, CNIL (FR); Andreea Lisievici, Volvo Cars (SE); Chelsey Colbert, FPF (US); Mikko Niva, Vodafone (UK)

Autonomous and highly automated vehicles are likely the first product that will bring AI to the masses in a life-changing way. They rely on AI for a variety of uses: from mapping, perception and prediction, to self-driving technologies. Their promise is great: increasing the safety and convenience of our cities and roads. But so are the challenges that come with them, from solving life and death questions to putting in place a framework that works for the protection of fundamental rights of drivers, passengers and everyone physically around them. This panel proposes an EU-US comparative perspective to discuss essential questions. Are existing legal frameworks well-equipped to deal with these challenges? How much data and what type of data runs through all systems of an autonomous vehicle? What rights are affected? What ethical considerations might play into decision-making algorithms around accidents?

- How are highly automated and autonomous vehicles using AI?
- How are regulators around the world managing the data and AI used in highly automated and autonomous vehicles?
- What are the benefits of autonomous vehicles and what are the risks to individual rights? How can they be balanced?
- What lessons might be learned from this space for other applications of AI? (regulatory or otherwise)

15:30 – Coffee Break

## 16:00 – RESPONSIBLE AI: IS THERE GLOBAL CONVERGENCE?

**Academic \* Business \*\* Policy \*\*\***

**Organised by** BSA | The Software Alliance

**Moderator** Aaron Cooper, BSA | The Software Alliance (US)

**Speakers** Stan Adams, Center for Democracy & Technology (US); Anika Schumann, IBM (CH); Leonardo Cervera Navas, EDPS (EU); Danilo Doneda, Instituto Brasileiro de Direito Publico (BR); Victor Dominello, MP (AU)

Artificial Intelligence (AI) promises to revolutionize almost all aspects of daily life. As AI is deployed and developed globally, policymakers are progressively designing policies aimed at establishing frameworks for trustworthy and responsible AI. Global trends are beginning to emerge: fundamental rights, transparency, and personal data protection are the focus of many nascent policies worldwide. Our panel of software industry, policy, and legal experts will provide an overview of these efforts around the world, looking at how close national and regional approaches are to one another.

- How do AI developments relate to current privacy debates around the world?
- What are the potential consequences of divergent approaches?
- Is global convergence on “responsible AI” possible?

## 17:15 – LIQUID AI: ACCOUNTABILITY AND GOVERNANCE OF TRANSNATIONAL AI SYSTEMS

**Academic \*\* Business \* Policy \*\*\***

**Organised by** University of Amsterdam (IVIR)

**Moderator** Balázs Bodó, Institute for Information Law (NL)

**Speakers** Adam Harvey, MegaPixels.cc (DE); Daniel Leufer, Mozilla Fellow at Access Now (BE); Sjoera Nas, Privacy Company (NL); Kristina Irion, Institute for Information Law (NL)

Being essentially composed of data and code, artificial intelligence (AI) systems are fairly fluid, i.e. their constituents and design can be spatially distributed. As a result, unforeseen combinations of jurisdictions and rules can apply to the input data and the corresponding AI system, as well as the predictive outcomes that can be applied at a distance. This in turn affects the very governability of transnational AI systems that flow into our societies from abroad. This panel will interrogate how the liquidity of AI systems will affect the different societies they interact with. What will be the implications of the emerging cross-national interdependency through AI systems for their accountability and governance? Identifying strategies and approaches that effectively ground individual interests and societal values in transnational algorithmic systems will be imperative to undergird a robust information civilization.

- How prevalent are transnational AI systems?
- How do transnational AI systems affect algorithmic governance?
- In how far do governance approaches already anticipate transnational AI systems?
- Which legal, institutional and technical devices should be mobilized for the governance of transnational AI systems?

18:30 - Cocktail Sponsored by EPIC in Le Village

## CPDP2020 PANELS AT LA CAVE

### 8:45 – BUILDING PRIVACY FOUNDATIONS TODAY FOR TOMORROW’S TECH

**Organised by** NIST

**Moderator** Caitlin Fennessy, IAPP (US)

**Speakers** Stan Adams, Center for Democracy & Technology (US); Massimo Attoresi, EDPS (EU); Naomi Lefkowitz, NIST (US); Jade Nester, GSMA (INT); Kim Wuyts, KU Leuven (BE)

This session will explore tools that support privacy engineering, in particular, the NIST Privacy Framework: A Tool for Improving Privacy through Enterprise Risk Management. NIST developed it with broad stakeholder input to help organizations: build consumer trust and make ethical decisions in developing systems, products, and services; meet compliance obligations and future-proof for an evolving technical and policy landscape; and better communicate about privacy practices. This panel of experts will discuss how you can bring privacy engineering tools, such as the Privacy Framework, into your organization to strengthen your privacy programs, facilitate implementation of privacy protections under different jurisdictional approaches, and advance the development of a skilled and knowledgeable workforce.

- What is the NIST Privacy Framework and how does it support privacy engineering?
- What technical tools are available to support systems privacy engineering?
- How does the advancement of privacy engineering relate to changes in international approaches to policy (e.g., regulations, standards)?
- What advancements in the privacy workforce would help to support maturation of the privacy engineering field?

10:00 – Coffee Break



## 10:30 – SECURITY MEETS DATA PROTECTION: RISK ASSESSMENT, STANDARDS AND CERTIFICATION

**Academic \*** **Business \*\*** **Policy \*\*\***

**Organised by** European Union Agency for Cybersecurity (ENISA)

**Moderator** Athena Bourka, ENISA (EU)

**Speakers** Isabelle Chatelier, DG JUST (EU); Barbara Vieira, ABN-AMRO (NL); Jan Schallaböck, iRights Law (DE); Vincent Strubel, ANSSI (FR); Thomas Zerdick, EDPS (EU)

When discussing security and the protection of personal data, there is typically a perception that these two concepts are distinct, sometimes complementary and other times conflicting. Indeed, the notion of “balancing” security and data protection (or privacy as a broader concept) is not unusual, especially in the context of the “cyberspace”, as if there is a trade-off between “safeguarding the internet” and “protecting individual rights”. However, as recent large scale data breaches have shown, (cyber)security and data protection are in fact the two sides of the same coin: data protection cannot be achieved without security, while efficient security must have data protection as one of its primary goals. The General Data Protection Regulation (GDPR) recognises this convergence, introducing, for the first time, security as a data protection principle, while reinforcing the provisions of security of personal data processing and making security one of the main elements of the controller’s accountability. However, in order to achieve this convergence, it is essential for security to embrace the very nature of personal data, as well as the specificities that this nature brings as to their protection. How can this be performed in practice? The panel seeks to address this question by exploring different levels of convergence of data protection and security requirements, from risk assessment to technical implementation and from standards developments to relevant certification frameworks. Some relevant questions to be discussed are:

- How can a “traditional” security risk assessment process embed data protection requirements?
- How can data protection requirements form part of products’ secure development frameworks, especially in the context of new development approaches (e.g. agile development)?
- What role can technical standards play and what is the experience so far?
- To what extent can different certification frameworks under the GDPR and the Cybersecurity Act (CSA) benefit from each other in the area of cybersecurity? What is the experience so far?

## 11:45 – THE ONE-STOP-SHOP: TWENTY MONTHS ON

**Academic \*\*** **Business \*\*** **Policy \*\***

**Organised by** EDPB

**Moderator** Andrea Jelinek, EDPB (EU)

**Speakers** Max Schrems, Noyb (AT); Christopher Kuner, Brussels Privacy Hub/VUB (BE); Yukiko Lorenzo, Mastercard (BE); Anu Talus, Finish Data Protection Authority (FI)

The one-stop-shop has been one of the most significant changes resulting from the review of the data protection legal framework. But what does it mean, in practice? What have the results been so far? Has it contributed to an easier / more solid implementation of GDPR provisions across Europe? This panel aims to give an overview of the implementation of the one-stop-shop mechanism, the issues surrounding it, what it has already managed to achieve and what can be/is expected to be achieved in the future. The panel will address with the following questions:

- What does the OSS mean, in practice?
- What have the results of the OSS been so far?
- Has it contributed to an easier, more solid implementation of GDPR provisions across Europe?
- How can it further contribute to more consistent GDPR implementation?

13:00 – Lunch

## 14:15 – WE NEED TO TALK ABOUT FILTERS: ALGORITHMIC COPYRIGHT ENFORCEMENT VS DATA PROTECTION

**Academic \*\*\*** **Policy \*\*\***

**Organised by** recreating Europe

**Moderator** Frederik Zuiderveen Borgesius, Radboud University and IViR, University of Amsterdam (NL)

**Speakers** João Pedro Quintais, IViR, University of Amsterdam (NL); Rossana Ducato, UCLouvain and Université Saint-Louis – Bruxelles (BE); Anna Mazgal, Wikimedia (BE); Karen Melchior, MEP (EU)

The new Copyright in the Digital Single Market (DSM) Directive was published in May 2019. Its most controversial provision is Article 17 (ex 13), which creates a new liability regime for user-generated content platforms, like YouTube and Facebook. The new regime makes these platforms directly liable for their users’ uploads, without the possibility of benefiting from the hosting safe-harbour. This forces platforms to either license all or most of the content uploaded by users (which is near impossible) or to adopt preventive measures like filters. The likely outcome is that covered platforms will engage in general monitoring of the content uploaded by their users. This panel will discuss the issues raised by Article 17 DSM Directive and the model of algorithmic enforcement it incentivizes, with a focus on the freedom of expression and data protection risks it entails. The panel will discuss the following issues and questions:

- Article 17 of the Copyright in the Digital Single Market Directive creates a new liability regime for user-generated content platforms.
- Does this provision introduce, de facto, the controversial upload filtering systems and, as a result, the general monitoring of information in content-sharing platforms?
- Is Article 17 essentially in conflict with the GDPR and, in particular, the principle of data minimisation and the right not to be subject to automated decision-making processes? What are the potential consequences of this provision on users’ freedom of expression?
- If Article 17 can negatively affect data protection and freedom of expression, what are the possible legal and extra-legal responses to neutralise the risk?

15:30 – Coffee Break

## 16:00 – REGULATING AI IN SECURITY LAW

**Academic \*\*\*** **Policy \*\*\***

**Organised by** PinG and DAV

**Moderator** Niko Härting, PinG/DAV (DE)

**Speakers** Rosamunde van Brakel, VUB (BE); Christian Wiese Svanberg, Danish Police (DE); Sebastian Golla, Johannes Gutenberg University (DE); Zsuzsanna Felkai Janssen, DG Home (EU); Zoe Kardasiadou, DG JUST (EU)

There are many possible scenarios to use AI for preventing and prosecuting crime. While smart surveillance tools can help to predict crime as well as to support finding and analysing evidence, automated suspicion algorithms are even able to open up criminal investigations without human intervention. After the fact, AI can be used to support arresting and sentencing decisions. US courts already use software applications like COMPAS to support decisions. These scenarios raise questions about the limits of, and the need to, regulate the use of AI in the security sector. Data protection law only offers general answers concerning automated decision making while questions regarding anti-discrimination, the presumption of innocence and other issues remain wide open. This panel aims at identifying the most important questions raised by, and finding answers for, AI regulation in security law along the lines of European human rights.

- Which regulations are necessary for predictive policing?
- Which principles should apply to smart prosecution technologies (e.g. sentencing algorithms)?
- Are further anti-discrimination laws needed for the use of AI?
- How can AI recognise the presumption of innocence?

## 17:15 – THE STATE OF THE ART REQUIREMENT FOR GDPR SECURITY MEASURES

**Academic \*\*\* Business \*\* Policy \***

**Organised by** OO&R Radboud University and iCIS Radboud University

**Moderator** Stefano Leucci, Nexa Centre for Internet & Society (IT)

**Speakers** Prokopios Drogkaris, ENISA (EU); Janita Hofman, OO&R Radboud University (NL); Irene Kamara, Tilburg Institute for Law, Technology, and Society (NL); Giuseppe Vaciago, R&P Legal (IT)

Article 32 of the GDPR sets out the security obligations for controllers and processors with regards to personal data processing. It stipulates that they shall take ‘appropriate technical and organisational measures to ensure a level of security appropriate to the risk’. One of the elements to assess the appropriateness of the measures is ‘the state of the art’. This panel will inquire into the practical and theoretical aspects of ‘the state of the art’ notion, both from a legal and a technical perspective, aided by practical experience from the industry. This should contribute to a better understanding of challenges and potential solutions.

- How do practitioners and data protection authorities interpret ‘state of the art’ requirements, and what could this mean for the interpretation of art. 32 GDPR?
- How could information security technical standards determine the meaning of ‘the state of the art’, and, as a result, the obligations that stem from Article 32?
- What impact could technical innovation in digital security have on these obligations; at what point should they be considered ‘state of the art’?
- What is the role of economic arguments in the context of the ‘state of the art’ requirement?
- What role could certification play in complying with the state of the art requirement?

18:30 - Cocktail Sponsored by EPIC in Le Village

## CPDP2020 PANELS AT AREA 42 PETIT

### 8:45 – CLOSED SESSION

10:00 – Coffee Break

### 10:30 – CAN ETHICS BE STANDARDISED?

**Academic \*\* Business \*\* Policy \*\***

**Organised by** IEEE

**Moderator** Paul Nemitz, DG JUST (EU)

**Speakers** Gry Hasselbalch, DataEthics (DK); Clara Neppel, IEEE (AT); Ali Hessami, Vega Systems (UK); Ansgar Koene, EY Global and Nottingham University (UK), Sara R Jordan, Virginia Tech (US)

It is time to move “From Principles to Practice” in society regarding the governance of emerging autonomous and intelligent systems. However, the fundamental tenets of the regulatory regime are challenged by new forms of generating commercial value from data as opposed to tangible goods, as well as by the rapid pace of transformation of underlying technologies. Stakeholders often rely on self-regulation, such as standards and certification, to ensure consumer trust. Using a participatory process from the bottom-up implies that those involved are likely to have a higher degree of techni-

cal and industry expertise than an outside government regulator. Rulemaking, monitoring, enforcement and remediation processes can also be faster using self-regulation, principally supported by standards, which means that consumers are protected sooner. Opponents of self-regulation argue that it has less stringent rules and that it is ineffective in enforcing its rules. We will discuss the role of standards and certification to implement ethical principles in the context of the new data economy by exploring the following questions:

- What are the challenges to classical regulation and enforcement in the AI era?
- How can an agile/responsive form of social protection be established in the data economy?
- What are the challenges to standardisation and certification in technology ethics?
- Which ethical principles can be addressed through standards and certification?
- Which approaches and solutions are most likely to be adopted by industry?
- What are the enablers of voluntary adoption of ethical norms and standards?

### 11:45 – ETHICS AND LAW IN DATA PROTECTION

**Academic \*\*\* Business \* Policy \*\***

**Organised by** VUB LSTS

**Moderator** Serge Gutwirth, Vrije Universiteit Brussel (BE)

**Speakers** Ben Wagner, Vienna University of Economics and Business, (AT); Aurélie Pols, EDPS’ Ethics Advisory Group (EU); Jim Dratwa, Wilson Centre (US); TBC

This panel aims to explore the increasing role of ethics in European privacy and data protection, which is not an isolated occurrence but rather part of a much larger phenomenon that can be referred to as the ‘ethification’ of policies and regulation. We wish to bring together experts from different fields to dig into the effects of this growing and transformative phenomenon, with a focus upon its expressions in the GPDR, the recent interventions and initiatives of the European Data Protection Supervisor and in relation to data protection and privacy law in general. The aim of the panel is to shed light on the benefits and drawbacks this novel ‘ethification’ might bring in relation to what has classically been thought of as data protection and privacy law, and how this affects the complex articulations of the respective roles of politics, law, organization, technology and ethics in democratic constitutional states.

- Where is the work of ‘ethicists’ positioned and where does it produce effects (politics, industry, public debate, science, technology development)?
- How are the methods and procedures carried out by ‘ethicists’ operationalised?
- What are the activities that are labelled as ‘ethics’ supposed to deliver?
- To what extent are these ethical or moral issues and not, for example, legal or political issues?

13:00 – Lunch

### 14:15 – JUNIOR ACADEMIC SESSION 1

**Academic \*\*\*\*\***

**Organised by** CPDP

**Moderator** Ronald Leenes, Tilburg University (NL)

**Authors**

- Thomas Tombal, Université de Namur (BE): Data sharing as a competition law remedy: compatibility with the GDPR
- René Mahieu, Vrije Universiteit Brussel (BE): The right of access to personal data: A genealogy
- Sophie Bisson, Independent Researcher (FR): Obtaining the Rectification of Inaccurate Personal Data in the Age of Artificial Intelligence: Critical Approach to a Classic European Union Right

15:30 – Coffee Break

## 16:00 – JUNIOR ACADEMIC SESSION 2

Academic \*\*\*\*\*

Organised by CPDP

Chair Ignacio Sanchez, Joint Research Center (EU)

Authors

- Angelica Fernandez, University of Luxembourg (LU): Enforcement challenges of online platforms in the context of Artificial Intelligence: the case of Deepfakes and the EU Code of Practice on Disinformation
- Álvaro Feal, Universidad, Carlos III de Madrid (ES); Julien Gamba, Universidad Carlos III de Madrid (ES); Narseo Vallina-Rodriguez, Universidad Carlos III de Madrid (ES); Primal Wijesekera, U.C. Berkeley (US); Joel Reardon, University of Calgary (CA); Serge Egelman, U.C. Berkeley (US) and Juan Tapiador, Universidad Carlos III de Madrid (ES): Don't accept candies from strangers: An analysis of third-party SDKs
- Giovanni De Gregorio, University of Milano-Bicocca (IT); Edoardo Celeste, University College Dublin/Dublin City University (IE): Digital Humanism: The Constitutional Message of the GDPR's Framework on Automated Decision-making

## 17:15 – SENIOR ACADEMIC SESSION 1

Academic \*\*\*\*\*

Organised by CPDP

Moderator Rocco Bellanova, University of Amsterdam (NL)

Authors

- Maria Tzanou, Keele University (UK): Mapping AI and Big Data Challenges: What Role for the GDPR?
- Margot Kaminski, Colorado Law School (US); Gianclaudio Malgieri, Vrije Universiteit Brussel (BE): Algorithmic Impact Assessment under the General Data Protection Regulation: Producing Multi-layered Explanations
- Ala'A Al-Momani, Ulm University (DE); Frank Kargl, Ulm University (DE); Christoph Bösch, Ulm University (DE): A Comparison of Data Protection Regulations for Automotive Systems

18:30 - Cocktail Sponsored by EPIC in Le Village

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# THURSDAY 23<sup>RD</sup> JANUARY 2020

THURSDAY 23 JAN 2020

23.1	GRANDE HALLE	AREA 42 GRAND
7.30	Registration in La Cave	Registration in La Cave
8.45	Technical & Organizational Controls for Lawful AI & Secondary Processing When Consent is Not Enough organised by Anonos	DPA's, Policing and Law Enforcement organised by CPDP
10.00	Coffee break	Coffee break
10.30	What does a good AI legislation look like? And how to get there? organised by Facebook	AI for the future of prevention, detection and mitigation of cyber-attacks: what is at stake for privacy and data protection? organised by CyberTrust
11.45	Turning the Tables: Academics in the Hot Seat organised by IAPP	Admissibility of digital evidence in court. Does the concept of originality still matter when it comes to digital evidence? organised by CiTiP
13.00	CPDP Latin America Announcement followed by 13.05 Lunch	Lunch
14.15	14.05 - AI and Human rights: what is the Council of Europe doing for you? organised by Council of Europe	Alexa, when will the Walking Dead return? – data retention at EU level organised by EDEN
15.30	Coffee break	Coffee break
16.00	Intelligence oversight 4.0? Options for innovation. organised by Stiftung Neue Verantwortung	Creative AI: ready to shake things up in data protection, intellectual property and our understanding of science and creativity organised by Lund University
17.15	AI governance: innovative approaches organised by EDPS	Senior Academic Session II organised by CPDP
18.30	Cocktail sponsored by EDPS in Le Village	

PETITE HALLE	LA CAVE	AREA 42 PETIT
Registration in La Cave	Registration in La Cave	Registration in La Cave
Promised land or fantasy: certifying multiple privacy regulatory compliance, including GDPR, with ISO 27701 organised by Microsoft	Artificial Intelligence and Fundamental Rights: David vs. Goliath or vice-versa? organised by ECPC Maastricht	Open Science with Health and Genetic Data: A Contradiction? organised by BBMRI
Coffee break	Coffee break	Coffee break
Algorithmic transparency and non-discrimination organised by CEU San Pablo University - Google Chair on Privacy, Society and Innovation	Political micro-targeting under investigation: lessons from 2019 campaigns organised by Panoptikon Foundation	AI and Informed Consent: the challenges ahead organised by PANELFIT Project
Digital Identity in Africa and in the Middle East organised by CIL (Data Protection Authority of Burkina Faso)	Algorithms and AI-driven technologies in the information society organised by Information, Communication & the Data Society (ICDS) - University of Amsterdam	Data Protection, AI and Data Analytics: Boon or Bane for Innovation? organised by Fraunhofer ISI
Lunch	Lunch	Lunch
A global view on AI challenges to privacy organised by EDPS	Online Privacy, Algorithmic Bias, Targeted Political Advertising – an Inter-disciplinary Conversation organised by Mozilla	Privacy enhancing technologies and AI organised by Trust & Technology Initiative, University of Cambridge
Coffee break	Coffee break	Coffee break
The Role of Active Privacy Management in a World Where the Consent Model Breaks Down organised by Fordham Center on Law and Information Policy (CLIP)	Data Protection Regulators in the BRICS organised by Fundação Getulio Vargas Law School	EDPL Young Scholar Award organised by EDPL
Between Truth and Power: The Legal Construction of Informational Capitalism organised by CPDP	AI and biometrics: strategies for GDPR compliance organised by WSGR	Closed Session
Cocktail sponsored by EDPS in Le Village		

THURSDAY 23 JAN 2020

### 8:45 – TECHNICAL & ORGANIZATIONAL CONTROLS FOR LAWFUL AI & SECONDARY PROCESSING WHEN CONSENT IS NOT ENOUGH

**Academic \*** **Business \*\*\*** **Policy \*\***

**Organised by** Anonos BigPrivacy

**Moderator** Gary LaFever, Anonos BigPrivacy (US)

**Speakers** Giuseppe D'Acquisto, Italian Garante (IT); Ailidh Callander, Privacy International (UK); Steffen Weiss, German Association for Data Protection and Data Security (DE); Magali Feys, AContrario.Law (BE)

The unpredictable and sometimes unimaginable use of data in AI and other secondary (further) processing is a feature, not a bug. For these data uses to achieve their full potential, safeguards must ensure that fundamental rights are protected while still fostering an environment that encourages innovation. This panel will cover how proper implementation of technical and organizational controls can help to support alternative approaches to lawful data use [e.g., GDPR Articles 6.1(f), 6.4, 9.2(j) & 89(1)] when consent is not available – e.g., when processing cannot be described in advance with required specificity. This panel will touch upon the benefits of Pseudonymisation and Data Protection by Design and by Default - as newly defined under the GDPR - to reconcile conflicts between protecting fundamental rights and achieving societal objectives of using, sharing, combining and controlled relinking of personal data for authorized AI and secondary processing.

- AI and secondary (further) data processing have the potential to advance societal goals.
- Consent is often not available as a legal basis for AI and secondary (further) processing.
- Technical and organizational controls can help to support alternative approaches to lawful data use [e.g., GDPR Articles 6.1(f), 6.4, 9.2(j) & 89(1)] when consent is not available.
- Pseudonymisation and Data Protection by Design and by Default - as newly defined under the GDPR - provide examples of effective safeguards and controls.

10:00 – Coffee Break

### 10:30 – WHAT DOES GOOD AI GOVERNANCE LOOK LIKE? AND HOW TO GET THERE?

**Academic \*** **Business \*\*** **Policy \*\*\***

**Organised by** Facebook

**Moderator** Nathalie Smuha, KU Leuven (BE)

**Speakers** Norberto Andrade, Facebook (US); Fanny Hidvégi, Access Now (BE); Gabriele Mazzini, DG JUST (EU)

Artificial intelligence offers an immense opportunity to benefit people around the world. But as AI technology increasingly impacts people and society, the drivers behind these advances need to act responsibly and ensure AI treats people fairly, protects their safety, respects their privacy, and works for them. What framework of governance would allow us to maximise the benefits of AI, while minimising potential harm? Against this background:

- What do companies need to do to avoid harm by AI-systems?
- Is there a need to create governance of AI?
- What would good AI governance look like?
- How to get to good AI governance?

### 11:45 – TURNING THE TABLES: ACADEMICS IN THE HOT SEAT

**Academic \*\*\*** **Business \*** **Policy \*\***

**Organised by** IAPP

**Moderator** Helen Dixon, Data Protection Commissioner for Ireland (IE)

**Speakers** Franziska Boehm, Karlsruhe Institute of Technology (DE); Neil Richards, Washington University School of Law (US); Omer Tene, IAPP (US); Gabriela Zafir-Fortuna, Future of Privacy Forum (US)

In numerous privacy and data protection conferences and workshops, academics moderate discussions between policy-makers, regulators and industry players. Academics are tough inquisitors and harsh critics, pointing out the shortcomings of legislation, the slow turn of the wheels of justice, the practical challenges of enforcement and the tangled web of interests of businesses. In this session we turn the tables. Helen Dixon, Data Protection Commissioner for Ireland, will be asking the questions. The academics will be in the hot seat providing direct and complete answers. Are their theories sound and coherent? Do they influence the world outside the ivory tower? Did their writings withstand the test of time?

- The gap between the theory and practice of privacy and data protection
- The role for higher education in developing a privacy and data protection workforce
- The implications of privacy as a fundamental right, as trust and as a techno-social safety valve
- Differences and similarities between privacy and data protection scholarship in the US and EU

### 13:00 – CPDP LATIN AMERICA ANNOUNCEMENT

13:05 – Lunch

### 14:05 – AI AND HUMAN RIGHTS: WHAT IS THE COUNCIL OF EUROPE DOING FOR YOU?

**Academic \*\*** **Business \*\*** **Policy \*\***

**Organised by** Council of Europe

**Moderator** Sophie Kwasny, Council of Europe (INT)

**Speakers** Frederik Zuiderveen Borgesius, Radboud University (NL); Benoit Frénay, University of Namur (BE); Seda Gürses, KU Leuven (BE); Alessandro Mantelero, Politecnico di Torino (IT)

Whether we speak of AI, advanced digital technologies, algorithmic decision-making or machine learning: do those extraordinary promises of better health, better mobility, better security, better employment and more generally, of a better life, impact on the enjoyment of our human rights and fundamental freedoms? What are the longer term underlying effects for our societies? Beyond than what the Council of Europe is doing for you in this field, come and learn about what the benefits and challenges are, what can be done about them and how. It is crucial for our future that we manage to promote an environment in which technological innovation respects and enhances human rights. As a starting point to the discussion, the Committee of Convention 108 adopted Guidelines on artificial intelligence and data protection last year, but so much more needs to be done. Questions to be considered by the panel include:

- What are we speaking about?
- What are the risks and opportunities arising from the development, design and application of artificial intelligence?
- How should we approach regulation: from soft law and ethical principles to a binding legal framework?
- Where do we go from here?

15:30 – Coffee Break

## 16:00 – INTELLIGENCE OVERSIGHT 4.0? OPTIONS FOR INNOVATION

**Academic \*\* Business \*\* Policy \*\***

**Organised by** Stiftung Neue Verantwortung

**Moderator** Thorsten Wetzling, Stiftung Neue Verantwortung (DE)

**Speakers** Bernard Silverman, IPCO (UK); Julia Ballaschk, National Police (DK); Annie Anton, Georgia Tech/Tech Amici of the FISC (US); Kilian Vieth, Stiftung Neue Verantwortung (DE)

Intelligence agencies are constantly on the move to deploy cutting-edge technology in their daily operations. Oversight bodies far less so. Against the backdrop of modern surveillance technology converging across different branches of government, the panel will debate whether, and how, the adaptation of new supervisory technology could revolutionize intelligence oversight. The audience will learn how oversight bodies are now experimenting with new review mechanisms and control instruments driven by automation and big data analytics. The panelists will bring their different perspectives to bear when debating options for more tech-enabled intelligence oversight. This will include reflection on the use of artificial intelligence in supervisory technology as a means to close growing information asymmetries and to ensure greater legitimacy of modern intelligence governance. The panel will discuss:

- Tech-enabled intelligence oversight
- Supervisory technology
- Automated oversight
- Human-technology interface in actual inspections

## 17:15 – AI GOVERNANCE: INNOVATIVE APPROACHES

**Academic \*\* Business \*\* Policy \*\***

**Organised by** European Data Protection Supervisor

**Moderator** Wojciech Wiewiorowski, EDPS (EU)

**Speakers** Reuben Binns, ICO (UK); Marit Hansen, Unabhängiges Landeszentrum für Datenschutz (DE); Joni Komulainen, Finnish Ministry of Health (FI); Olivier Micol, DG JUST (EU)

What form of governance is necessary for AI applications? What role should DPAs play in their supervision? This panel will explore the challenges raised by AI for DPAs, the new instruments, tools and frameworks DPAs should develop to tackle these challenges and the initiatives already in place. What are the opportunities and limits of regulatory sandboxes or AI labelling? What role for ethics in the supervision of AI? Is the creation of EU “data lakes” for research and training of algorithms a way forward?

Building on the outcome of the first discussions that will take place in a World Café setting on Tuesday 21 January, the panel will focus on how data protection authorities can confront the multi-faceted human rights impact of AI technologies. In the public authority context, the panel will debate on how to uphold important legal concepts such as the presumption of innocence, as well as due process and non-discriminatory treatment. Since AI is not a stand-alone technology, the panel will also discuss the difficulties to anticipate or even identify the risks raised by these technologies, including the ones associated to the cumulative effects that propagate small flaws and inaccuracies in a disproportionate and uncontrolled way.

- Do DPAs need new tools or frameworks to supervise AI?
- What are the opportunities and limits of new initiatives such as regulatory sandboxes and AI labelling?
- How to identify/anticipate the risks linked to the use of AI?
- Is the creation of EU “data lakes” for research and training of algorithms a way forward?

**18:30 – Cocktail sponsored by EDPS in Le Village**

## CPDP2020 PANELS AT AREA 42 GRAND

## 8:45 – DPAs, POLICING AND LAW ENFORCEMENT

**Academic \*\*\* Policy \*\*\***

**Organised by** CPDP

**Moderator** Ivan Szekely, Central European University (HU)

**Speakers** Charles Raab, University of Edinburgh (UK); Fanny Coudert, EDPS (EU); Marit Hansen, Data Protection Commissioner of Land Schleswig-Holstein (DE); Mark Leiser, Leiden University (NL); Maté Daniel Szabó, Hungarian Civil Liberties Union (HU)

The relationship between data protection authorities and law enforcement agencies has always been a sensitive issue. Reconciling law and order interests and security and fundamental rights, as well as finding the least privacy-intrusive means in fighting crime and terrorism are often contested by DPAs. The increasing use of AI in policing/law enforcement posed new challenges for DPAs and generated critical comments from civil organizations. In this panel data protection commissioners, legal experts and civil activists will discuss the following questions:

- What have been DPAs’ experiences so far with performing their supervisory role under the Police Directive 2016/680? Do national security and counter-terrorism objectives limit the exercise of this role in practice?
- Is it better to extend DPAs’ responsibility for regulating the law enforcement sector, to share it with other supervisory authorities, or to leave it to the other supervisory authorities? How do these arrangements vary across countries?
- Is the increasing interest in ‘algorithmic policing’ creating new privacy, data protection, and human rights issues for DPAs to handle?

**10:00 – Coffee Break**

## 10:30 – AI FOR THE FUTURE OF PREVENTION, DETECTION AND MITIGATION OF CYBERATTACKS: WHAT IS AT STAKE FOR PRIVACY AND DATA PROTECTION?

**Academic \*\* Business \*\* Policy \*\***

**Organised by** Cyber-Trust

**Moderator** Paul Quinn, VUB (BE)

**Speakers** Rosa Barcelo, Squire Patton Boggs (BE); Athena Bourka, ENISA (EU); Dimitris Kavallieros, Center for Security Studies – Hellenic Ministry of Citizen Protection (GR); Carolin Möller, Deloitte (DE)

The Internet of Things (IoT) aims to establish an ecosystem of heterogeneous connected devices that communicate to deliver environments making our living, cities, transport, energy, and many other areas more intelligent. This amplifies concerns about the security of networked applications and services, based on known and unknown vulnerabilities and backdoors. More and more cybersecurity systems develop and deploy AI tools for the prevention, detection and mitigation of cyber-attacks, in particular in the field of cyber-threat intelligence and device profiling, aiming to simplify the threat identification process and improve the rate of remediation response. The panel aims to reflect upon what is at stake for data protection and privacy by the use of such automated tools, provided inter alia by the requirements set in the recently adopted Cybersecurity Act at EU level for enhancing cybersecurity in products and services.

- Since AI appears to become increasingly integrated in cybersecurity solutions, what applications are currently deployed, what is being developed by academia, business and the LEAs, how are models trained and what is aspired for in the short- and long-term future in the security sector?
- What are the advantages and challenges of using AI in the cybersecurity context with respect to data protection and privacy?
- In which ways can security research reconcile privacy, data protection and cybersecurity, creating compliant designs



by advancing the principles of data protection and privacy by design and by default as well as integrating the learnings of the Data Protection Impact Assessments?

- Best practices and lessons learnt through hands-on experience.

## 11:45 – ADMISSIBILITY OF DIGITAL EVIDENCE IN COURT. DOES THE CONCEPT OF ORIGINALITY STILL MATTER WHEN IT COMES TO DIGITAL EVIDENCE?

**Academic \*\* Business \*\* Policy \*\***

**Organised by** CiTiP - KU Leuven

**Moderator** Roberto Reale, Consultant at AGID (IT)

**Speakers** Niels Vandezande, Timelex (BE); Wannes Vandenbussche, Linklaters (BE); Luisa Scarcella, University of Graz (AT); Camille Martine Antunes, Europol (EU)

Originality, as a legal requirement, is present in many branches of EU Member States' civil law. At first sight, Blockchain technologies, Artificial Intelligence and Big data, due to their technical aspects, seem to be incompatible with the originality requirement as it has been developed in the EU Member States' laws. As a result, the procedural admissibility of evidence produced and developed through these technologies has been questioned. Some Member States have taken legislative initiatives to overcome such issues. The panel intends to assess, through the expertise of panellists from different backgrounds, whether such incompatibility is concretizable and if so, which legal requirements should be taken into account by policymakers to ensure that the evidence produced with these technologies could be admissible in court. Amongst others, the panel will consider the following questions:

- Is the concept of originality still useful?
- How can the integrity of documents be proven?
- Do we need more digital legal forensics?
- Can evidence produced by AI, Blockchain and other disruptive technologies be defined as original?

13:00 – Lunch

## 14:15 – ALEXA, WHEN WILL THE WALKING DEAD RETURN? – DATA RETENTION AT EU LEVEL

**Academic \*\* Business \*\* Policy \*\***

**Organised by** EDEN

**Moderator** Jan Ellermann, Europol (EU)

**Speakers** Daniel Drewer, Europol (EU); Joe Cannataci, UN Special Rapporteur on the right to privacy (INT), Jana Ringwald, Public Prosecutor (DE), Ralf Bendrath, European Parliament (EU)

Data retention remains one of the most controversial topics in the area of law enforcement investigations in the digital age. The panel will emphasise the challenges caused by the current scattered data retention legal landscape across the EU. Also potential solutions to fulfil the proportionality requirements in the context of cross-border cybercrime investigations will be discussed. Furthermore, the panel will debate which authorities should be authorised to access data on smart devices and potential types of crimes related to smart devices. Finally, the panellists will touch upon the possibilities for law enforcement to fight serious crime and terrorism and the impact on fundamental rights.

- What are the main issues of the current scattered data retention legal landscape across the EU?
- How should a potential data retention regime be designed to bridge the gap between law enforcement requirements and respect for our fundamental rights?
- How should the implementation process of proportionality requirements look given the ECJ did not consider the concept of data retention as non-compliant with fundamental rights per se?
- What are the challenges of developing adequate safeguards and why is quick freeze insufficient?

15:30 – Coffee Break

## 16:00 – CREATIVE AI: READY TO SHAKE THINGS UP IN DATA PROTECTION, INTELLECTUAL PROPERTY AND OUR UNDERSTANDING OF SCIENCE AND CREATIVITY

**Academic \*\* Business \*\* Policy \*\***

**Organised by** Lund University

**Moderator** Stefan Larsson, Lund University (SE)

**Speakers** Mario Klingemann, AI Artist (DE); Abigail Waldron, Imperial College London (UK); Sari Depreeuw, Daldewolf (BE); Katja de Vries, Stockholm University (SE)

In the last 5 years the field of generative modeling (also known as creative Artificial Intelligence), notably Generative Adversarial Networks (GANs), has progressed at an enormous pace. Generative modeling can be used to create convincing fake images and video footage (deep fakes), fake data that can fool and undermine the working of other AI systems (adversarial examples), make art, take over basic creative labor (production of video game graphics, interior design, fashion, music or recipes), produce synthetic (aka: simulated or imputed) data where real data are scarce/lacking, or anonymize data by transforming them into synthetic data. When is fake good and when is it bad? Creative AI holds promises and perils that raise fundamental questions deserving the attention of citizens, lawyers and policymakers. In this panel a lawyer, an AI artist, a computer science expert, a philosopher and a social scientist give their thoughts on the highly topical question of the role of creative AI in society.

- Does generative (aka creative) AI create machine imagination? How does it challenge the divide between fact and fiction?
- What does generative modelling mean for our understanding of creativity in terms of intellectual property (IP) law?
- How to align the use of simulated data with the scientific imperative that one should not fabricate data?
- How does the upcoming avalanche of synthetic data impact data protection? Can simulation of data be used as a way to anonymize personal data?

## 17:15 – SENIOR ACADEMIC SESSION 2

**Academic \*\*\*\*\***

**Organised by** CPDP

**Chair** Daniel Guagnin, The Centre for the Internet and Human Rights (DE)

**Authors**

- Laima Janciute, Independent Researcher (UK): European Data Protection Board: a nascent EU agency or an 'intergovernmental club'?
- Silvia de Conca, Tilburg University (NL): Between a rock and a hard place: owners of smart speakers and joint-control
- CNIL-Inria Privacy Protection Award Winner(s)

18:30 – Cocktail sponsored by EDPS in Le Village

## 8:45 – PROMISED LAND OR FANTASY: CERTIFYING MULTIPLE PRIVACY REGULATORY COMPLIANCE, INCLUDING GDPR, WITH ISO 27701

**Academic \*\* Business \*\* Policy \*\***

**Organised by** Microsoft

**Moderator** Alex Li, Microsoft (US)

**Speakers** Eric Lachaud, University of Tilburg (NL); Cristina Monti, DG JUST (EU); Caitlin Fennessy, IAPP (US); Willy Fabritius, BSI (US); Erik Boucher, CNIL (FR)

The new ISO 27701 standard was designed to help organisations reconcile various regulatory requirements, including that of GDPR, into a universal set of operational controls. In theory, audit and certification of ISO 27701 can be considered sufficient evidence of compliance. It promises great operational efficiency in regulatory compliance. Is this expectation too good to be true or a reachable goal?

- An introduction to ISO 27701.
- How ISO 27701 matches up to GDPR and other privacy regulations.
- How does ISO 27701 audit & certification work?
- How does ISO 27701 certification align with GDPR certification? Would it work for other data protection regulations?

10:00 – Coffee Break

## 10:30 – ALGORITHMIC TRANSPARENCY AND NON-DISCRIMINATION

**Academic \* Business \*\* Policy \*\***

**Organised by** CEU San Pablo University - Google Chair on Privacy, Society and Innovation

**Moderator** José Luis Piñar, CEU San Pablo University (ES)

**Speakers** Bojana Bellamy, Centre for Information Policy Leadership (UK); Luca Bolognini, Istituto Italiano per la Privacy e la Valorizzazione dei Dati (IT); Flora Egea, BBVA (ES); Jens-Henrik Jeppesen, Center for Democracy and Technology (BE)

One of the most important issues related to artificial intelligence is the transparency of algorithms which are used in combination with a large amount of data. The potential impact of the use of algorithms on certain fundamental rights and public freedoms emphasizes their transparency, with the aim of being able to limit abusive practices. More specifically, when assessing whether the use of algorithms can result in certain discriminatory practices, transparency as to how algorithms operate is essential. The growing importance of technological innovation brings an unprecedented contribution of algorithms in both the social and economic fields. This should be accompanied by transparency in order to ensure an effective protection of fundamental rights.

- Is it possible to limit discriminatory practices in the field of the use of data-driven technological innovations when they are combined with the use of powerful algorithms?
- Should the possibility of prediction have, as an element of governance, the criterion of algorithmic transparency?
- How can we provide an explanation of how the algorithm works, ensuring transparency and maintaining a fair balance with organisations' know-how?
- How can we provide explanations of algorithms so that they can be understood by the audience they will impact?

## 11:45 – DIGITAL IDENTITY IN AFRICA AND IN THE MIDDLE EAST

**Academic \*\* Business \*\* Policy \*\***

**Organised by** CIL, Data Protection Authority of Burkina Faso

**Moderator** Stewart Dresner, Privacy Laws & Business (UK)

**Speakers** Marguerite Bonane Ouédraogo, Burkinabe DPA (BF); Sophie Kwasny, Council of Europe (INT); Tim Land, Abu Dhabi Global Market (AE); Oliver Butler, University of Oxford (UK); Patricia Poku, DPA of Ghana (GH); Omar Seghrouchni, Commission Nationale de Contrôle de Protection des Données à Caractère Personnel (MA)

Digital identity can be defined as a set of information that identifies and authenticates a person efficiently and reliably in the digital space. It is a pillar in the development of the digital economy and in the digital transformation of societies. This is why many countries have introduced or plan to introduce digital identities for their citizens: according to the United Nations and the World Bank, every individual in the world will have, by 2030, their own legal identity. This Panel aims to present the state of play in the development of digital identity systems in Africa and in the Middle East - especially those relying on the massive use of biometrics - and to discuss how Governments leverage such systems to enable inclusive access to public and private services without compromising individuals' human rights - especially the rights to privacy and personal data protection.

- What is the state of art in digital identity systems? Do they all rely on the use of biometrics?
- What is the landscape of the use of digital identity systems in Africa and in the Middle East, and what are their benefits for citizens and governments?
- What are the challenges raised by these systems with regards to human rights in general, and privacy and personal data protection in particular?
- What are the safeguards each stakeholder should put in place to leverage digital identity systems without compromising individuals' privacy?

13:00 – Lunch

## 14:15 – A GLOBAL VIEW ON AI CHALLENGES TO PRIVACY

**Academic \*\* Business \*\* Policy \*\***

**Organised by** European Data Protection Supervisor

**Moderator** Achim Klabunde, EDPS (EU)

**Speakers** Julia Powles, University of Western Australia (AU); Bertrand Pailhes, CNIL (FR); Marc Rotenberg, EPIC (US); Christiane Wendehorst, Universität Wien (AT)

Control over personal data gives power over individuals. AI technology allows profiling and classification of individuals and prediction of their behaviour at unprecedented scale and accuracy. Data protection rules serve to safeguard the fundamental rights of individuals and to protect the open democratic society against the abuse of data to grab power and undermine free exchange and dialogue. The use of AI-based systems aggravates the risks of power concentration. Some commentators argue that the market will inevitably develop towards monopoly, and that there are already signs of a handful of US and Chinese corporations – more powerful than many sovereign states - dominating the industry in terms of control of infrastructure and data. At risk are not only the fundamental rights of citizens and the functioning of democracy, but also competition and consumer rights as constitutive elements of fair, market based economies.

- Which legal tools can be used to prevent excessive market power in the field of AI?
- What could be a common set of objectives, which authorities for data protection, competition and consumer protection could agree upon?
- How can different regulators develop common enforcement models and instruments?
- Facing global operators and global challenges, how can global cooperation work across different legal systems?

15:30 – Coffee Break

## 16:00 – THE ROLE OF ACTIVE PRIVACY MANAGEMENT IN A WORLD WHERE THE CONSENT MODEL BREAKS DOWN

**Academic \*\* Business \*\* Policy \*\***

**Organised by** Fordham Center on Law and Information Policy

**Moderator** Tom Norton, Fordham Center on Law and Information Policy (US)

**Speakers** Abhilasha Ravichander, Carnegie Mellon University (US); Clémence Scottez, CNIL (FR); N. Cameron Russell, Western Union (IE); Lokke Moerel, Tilburg University (NL)

Automated technologies have been developed to help data subjects learn about digital privacy practices. These tools are generally focused on supporting the notice and consent data protection approach. Overall, however, that approach has proven poorly suited to a digital ecosystem in which networked services prevail and information is collected, analyzed, and shared on a mass scale without users' awareness. Use-based privacy, which focuses on regulating potentially harmful data uses, is an alternative approach. Use-based models address the information asymmetry between data subjects and the entities that collect and process data by shifting responsibility from the data subject to the data collector. Artificial intelligence tools, including privacy assistants and active privacy management tools, can aid use-based privacy's implementation. This panel explores the role these technologies have in a digital ecosystem where consent-based privacy models have failed and use-based models are emerging.

- What is use-based privacy?
- How are regulators and businesses working to implement this model, and what obstacles does it face?
- What role do artificial intelligence-based technological tools have in use-based privacy; where can artificial intelligence have a positive impact, and what are its limits?
- What artificial intelligence is currently being developed that can assist in the implementation of use-based privacy models?

## 17:15 – BETWEEN TRUTH AND POWER: THE LEGAL CONSTRUCTIONS OF INFORMATIONAL CAPITALISM

**Academic \*\*\* Business \* Policy \*\***

**Organised by** CPDP

**Moderator** Joris van Hoboken, Vrije Universiteit Brussel/University of Amsterdam (BE/NL)

**Author** Julie E. Cohen, Georgetown University Law Center (US)

**Speakers** Michael Veale, University College London (UK); Alessandro Mantelero, Polytechnic University of Turin (IT); Orla Lynskey, London School of Economics and Political Science (UK)

In her new book 'Between Truth and Power', Julie Cohen, one of the leading privacy scholars of our time, offers a comprehensive and in-depth exploration of the ways that law and information technology are remaking each other. In a cross-cutting inquiry that spans many different substantive fields of legal scholarship, she identifies large-scale patterns of institutional change, integrating perspectives from law, political economy, communications studies, and STS. In this special CPDP session, the author will provide an introduction to the book and engage in a discussion with leading privacy scholars in Europe about the insights they draw from this seminal contribution to the study of law and the digital transformation.

18:30 – Cocktail sponsored by EDPS in Le Village

## CPDP2020 PANELS AT LA CAVE

### 8:45 – ARTIFICIAL INTELLIGENCE AND FUNDAMENTAL RIGHTS: DAVID VS. GOLIATH OR VICE-VERSA?

**Academic \*\* Business \*\* Policy \*\***

**Organised by** European Centre on Privacy and Cybersecurity (ECPC), Maastricht University

**Moderator** Cosimo Monda, Maastricht University (NL)

**Speakers** Maja Brkan, Maastricht University (NL); Eva Lievens, Ghent University (BE); Herke Kranenborg, Legal Service of the European Commission (EU); Daniel Schönberger, Google (CH)

The debate on the impact of digitalization on EU fundamental rights, fueled by the introduction of the GDPR and the recent overhaul of the EU e-Privacy regime, is increasingly gaining international attention. This panel will focus on the most pressing issues raised in this debate, namely the impact of digitalization on EU fundamental rights and core values of free elections and consequently democracy, prohibition of discrimination as well as freedom of expression. To illustrate, the Cambridge Analytica scandal epitomizes the dangers that political profiling can pose to liberal democracies. Algorithmic decision-making can lead to discrimination in sensitive matters such as tax or credit scoring, opening the question of appropriate ethical standards in this domain. Finally, the fundamental rights of certain marginalized or sensitive groups (e.g. children, unemployed) can be particularly affected with the deployment of artificial intelligence. In addition to the policy and academic debate, the panel will discuss the viewpoint of industry on balancing fundamental rights in a commercial setting.

- What is the impact of AI on free elections and democracy in the EU?
- What is the impact of AI on children's rights?
- How does the Court of Justice of the EU approach the tension between algorithms and fundamental rights?
- How can fundamental rights be protected in practice when developing and deploying cutting-edge AI technologies?

10:00 – Coffee Break

### 10:30 – POLITICAL MICRO-TARGETING UNDER INVESTIGATION: LESSONS FROM 2019 CAMPAIGNS

**Academic \* Business \*\* Policy \*\*\***

**Organised by** Panoptykon Foundation

**Moderator** Katarzyna Szymielewicz, Panoptykon Foundation (PL)

**Speakers** Paolo Cesarini, DG CNECT (EU); Brandi Geurkink, Mozilla Foundation (DE); Colin Bennett, University of Victoria (CA); Hielke Hijmans, Belgian Data Protection Authority (BE)

Allegations about the scale and impact of political micro-targeting feed the news and shape the political agenda, including regulatory proposals at the EU level. In the world of online platforms, which make profit from targeted advertising, it seems inevitable that the popularity of this technique will grow. Since global internet platforms started to implement transparency tools, more data has become available for watchdog organizations and researchers to verify which practices actually take place. This session aims to inform policy debate on the use of political micro-targeting with evidence and data collected in Europe (e.g. in Poland during two consecutive election campaigns in 2019). We will discuss which risks posed by the use of this marketing technique exist in the European context and whether some form of regulatory response seems necessary.

- With most of the available evidence on the scale and impact of political micro-targeting being rooted in the US context, what insights are offered by European campaigns in 2019 and how does this affect the European policy debate around PMT?
- Is there a need for regulatory action at the EU level and, if so, what should be its scope?
- How effective are the transparency tools provided by online platforms?
- What is the role of political parties in the use of PMT and is there a need to curb their demand for voter analytics?



## 11:45 – ALGORITHMS AND AI-DRIVEN TECHNOLOGIES IN THE INFORMATION SOCIETY

**Academic \*\* Business \*\* Policy \*\***

**Organised by** Information, Communication & the Data Society (ICDS) – University of Amsterdam

**Moderator** Maryant Fernández, BEUC (BE)

**Speakers** Silje Sjøe, University of Copenhagen (DK); David Graus, News media sector (NL); Ben Lyons, Centre for Data Ethics and Innovation (UK); Amy Shepherd, Think-Film Impact Production (UK)

AI-driven innovation such as news recommender systems, chatbots, deepfakes, and microtargeting have recently made their entrance in the public realm. With AI-driven innovation come great potential risks. Online actors (e.g., political actors, partisan news platforms) can collect and use individuals' data to deliver targeted disinformation such as deepfakes, customized propaganda, and polarizing content where people can be drawn toward extremist viewpoints. In this panel we discuss:

- Should there be something like chatbot oversight, and how should this be organized?
- What legal instruments – notably data protection, consumer protection and/or media law – can play a role in limiting the threats of AI-based political news consumption?
- How can lawmakers fight disinformation?
- How can the law keep up with the fast-moving developments in AI?

13:00 – Lunch

## 14:15 – ONLINE PRIVACY, ALGORITHMIC BIAS, TARGETED POLITICAL ADVERTISING – AN INTERDISCIPLINARY CONVERSATION

**Academic \*\* Business \*\* Policy \*\***

**Organised by** Mozilla

**Moderator** Martin Lopatka, Mozilla (CA)

**Speakers** Fanny Hidvégi, Access Now (BE); Stefania Milan, University of Amsterdam (NL); Matt Rogerson, Guardian Media Group (UK); Sarah Bird, Mozilla (US)

With an increasing degree of automation in the systems responsible for content delivery, advertisement platforms and content recommender systems alike are filtering, weighting, and ranking a continuous feed of potential items to provide a tailored experience to each individual based on their personal preferences and past behaviour. The complexity of such systems introduces a sophisticated (and almost totally opaque) new layer to peoples' ability to access information. Automated decisions drastically impact our access to information and relationship with content serving and journalistic platforms. In many cases, the definition of success for such systems is not based on individual or societal well-being, but rather on some variation of engagement or revenue. A common belief motivating the design and optimization of these algorithms is that more (private) information about an individual equates to a better experience and more valuable advertisement via increasingly specific programmatic micro-targeting. This panel will present a multidisciplinary investigation of the interaction between data collection, the algorithmic nature of content recommendation systems, the commercial forces at play for such platforms and the individual and societal consequences of their prevalence.

- What are the market influences that have evolved automated systems serving content that you see online?
- What role does the collection of private information play in targeted content delivery?
- What are the technical, commercial, and societal implications of algorithmic content delivery?

15:30 – Coffee Break

## 16:00 – DATA PROTECTION REGULATORS IN THE BRICS

**Academic \*\* Business \* Policy \*\*\***

**Organised by** Fundação Getúlio Vargas Law School

**Moderator** Danilo Doneda, Digital Ethics Institute (BR)

**Speakers** Luca Belli, FGV Rio Law School (BR); Bruno Gencarelli, DG JUST (EU); Anja Kovacs, Internet Democracy Project (IN); Andrey Shcherbovich, Higher School of Economics (RU); Sizwe Snail, Information Regulator South Africa (SA)

Even if data protection legal frameworks are quickly spreading (at least 130 countries have general legislation already enacted) and some principles and instruments seem likely to become international standards, their implementation has regional peculiarities and flavours that should be taken into account. In BRICS countries - Brazil, Russia, India, China and South Africa -, the very implementation of data protection legal frameworks followed very specific dynamics and, generally speaking, both statements are true. Considering the prominent nature of the regulators in this field (the DPA, or Data Protection Authority) and their centrality to the enforcement of the legislation and to international harmonisation, this panel focuses on the structure, characteristics and experiences of the DPAs or other enforcement mechanisms in BRICS countries, looking to identify and emphasise their nature and foster knowledge of their work.

- Data Protection enforcement and DPAs
- BRICS countries
- International harmonization of data protection legal frameworks
- Implementation of data protection frameworks by BRICS' DPAs

## 17:15 – AI AND BIOMETRICS: STRATEGIES FOR GDPR COMPLIANCE

**Business \*\*\*\* Policy \*\***

**Organised by** Wilson Sonsini Goodrich & Rosati

**Moderator** Laura De Boel, WSGR (BE)

**Speakers** Pagona Tsormpatzoudi, Mastercard (BE); Ernani Cerasaro, BEUC (BE); Els Kindt, KU Leuven - CiTiP (BE), Universiteit Leiden - eLaw (NL) and EAB (European Association for Biometrics); Félicien Vallet, CNIL (FR)

The panel will focus on the use of AI in biometric technologies, including behavioral biometrics. The speakers will discuss strategies for ensuring GDPR compliance, and address common pitfalls, such as transparency, legal basis and data security. The speakers will discuss various use cases, such as biometric authentication and fraud prevention, and the key compliance points to consider when developing such use cases. The panel will discuss, amongst others, the following questions:

- What are the key points for a GDPR compliance strategy?
- How can an organization avoid common pitfalls when implementing an AI solution that uses biometric technology?
- What are current industry practices?
- What is the regulator's focus?

18:30 – Cocktail sponsored by EDPS in Le Village

## CPDP2020 PANELS AT AREA 42 PETIT

### 8:45 – OPEN SCIENCE WITH HEALTH AND GENETIC DATA: A CONTRADICTION?

**Academic \*\* Business \*\* Policy \*\***

**Organised by** BBMRI - ERIC

**Moderator** Heidi Beate Bentzen, University of Oslo (NO)

**Speakers** Joe Cannataci, UN Special Rapporteur on the right to privacy (INT); Claire Gayrel, EDPS (EU); Deborah Mascalzoni, EURAC Research (IT); Michaela Th. Mayrhofer, BBMRI-ERIC (AT); Jeremy Rollison, Microsoft (BE)

The European Commission encourages public-funded research results to be available in the public sphere to strengthen science and the knowledge-based economy, thus moving from 'open access' towards 'open science'. There is a similar strong push by the scientific community, funders and publishers. Researchers have started depositing health and genetic data in research databases, ranging from being open only to scientists, to being open online without access control. This data is extensively (re)used by industry, research institutions and citizen scientists for the purposes of AI, technological innovation and scientific research. Open science has yet to be scrutinized as a concept by the ethical and legal community, especially in relation to unintended uses, protection of fundamental rights and compliance with the GDPR. The panel will address these issues in light of governance approaches aimed at balancing individual rights with open science goals. The panel will consider the following:

- Open science
- Data reuse
- Human rights
- AI

10:00 – Coffee Break

## 10:30 – AI AND INFORMED CONSENT: THE CHALLENGES AHEAD

**Academic \*\*\* Business \*\* Policy \***

**Organised by** PANELFIT Project

**Moderator** Gianclaudio Maltieri, VUB (BE)

**Speakers** Iñigo de Miguel Beriain, University of the Basque Country (ES); Matthias Spielkamp, AlgorithmWatch (DE); Amy Grant, UCLan Cyprus (CY); Alben Kuyumdzheva, DG Research and Innovation (EU); Rob Shavell, Abine (US)

The application of AI involves some extremely challenging ethical and legal issues. To give some examples, the use of algorithms in the health care context can only be possible if patients are willing to provide health care systems with a considerable amount of personal data. Similarly, AI could help justices to make decisions about conditional freedom, for instance. However, this is in conflict with the right to privacy that offenders hold. On the other hand, automated decision making might simplify lots of administrative procedures, but it might collide with citizen's right to consent to the processing of their data. These are some good examples of the tensions between the uses that AI might have and the rights involved.

- To what extent should AI data processing be limited by citizens' right to privacy?
- In what cases might public interest prevail against citizens' preferences?
- Is informed consent absolutely necessary if AI needs to process sensitive data?
- What are the exceptions to informed consent in the context of AI?

## 11:45 – DATA PROTECTION, AI AND DATA ANALYTICS: BOON OR BANE FOR INNOVATION?

**Academic \*\*\* Business \*\* Policy \*\***

**Organised by** Fraunhofer ISI

**Moderator** Nicholas Martin, Fraunhofer ISI (DE)

**Speakers** Dan Bogdanov, Cybernetica (EE); Nathalie Smuha, KU Leuven (BE); Sophie Stalla-Bourdillon, University of Southampton and Immuta (UK); Roland Vogt, German Research Center for Artificial Intelligence (DE)

This panel considers the effects of data protection regulation on the usage and development of data analytics and AI in companies and research institutions. Key issues the panel hopes to discuss include whether the GDPR really is obstructing the development of these technologies – and if so, in what ways, contexts and due to which legal principles – or whether the GDPR is stimulating the innovation of new, privacy-preserving analytics and AI approaches, and how law, policy and business may drive such beneficial outcomes. We also hope to discuss how flexible the GDPR really is when dealing with technologies that seem to contradict core data-protection principles like purpose limitation or data minimization. Is it managing to

offer innovators the needed flexibility and society meaningful protection, too much "flexibility" with too little protection, or even a worst-world of *neither* flexibility *nor* protection?

- Regulation of artificial intelligence and data analytics.
- Privacy-preserving innovation.
- The GDPR as obstruction to, or driver of, innovation.
- The flexibility of the GDPR in relation to AI and data analytics

13:00 – Lunch

## 14:15 – PRIVACY ENHANCING TECHNOLOGIES AND AI

**Academic \*\* Business \*\* Policy \*\***

**Organised by** Trust & Technology Initiative, University of Cambridge

**Moderator** Jat Singh, University of Cambridge (UK)

**Speakers** Guy Cohen, Privitar (UK); Michèle Finck, Max Planck Institute for Innovation and Competition (DE); Caroline Louveaux, Mastercard (BE); Robert Riemann, EDPS (EU)

Artificial intelligence, machine learning, and analytics all entail computation over data. In many scenarios this will involve the processing of personal data. As such, there are on-going efforts towards technical methods for enabling more 'privacy-oriented' data processing. These methods aim at restricting and managing the information used or revealed by computational processes. Often collectively termed 'Privacy Enhancing Technologies' (PETs), the area is gaining attention, with some methods nascent and evolving. This panel will consider the data protection challenges and opportunities in the emerging PETs landscape, and the broader considerations that such technologies raise. The discussion will cover issues including:

- The nature of PETs and their design.
- The implications of PETs on the analytics lifecycle.
- How industry might gain by deploying such methods.
- The considerations that PETs raise for supervisory authorities.

15:30 – Coffee Break

## 16:00 – EDPL YOUNG SCHOLARS AWARD

**Academic \*\*\*\*\***

**Organised by** EDPL

**More information** side events section at the back of the brochure (p. 5)

Up-and-coming data protection researchers compete every year for the prestigious Young Scholar Award (YSA), organised by the European Data Protection Law Review (EDPL). The best 3 young authors are invited to present their research at the YSA panel and discuss it with the selection jury of renowned experts Franziska Boehm (KIT), Maja Brkan (University of Maastricht), Hielke Hijmans (Belgian Data Protection Authority) and Bart van der Sloot (Tilburg University). At the end of the panel, the winner of the 4th EDPL Young Scholar Award will be revealed and receive the prize in a special ceremony.

## 17:15 – CLOSED SESSION

18:30 – Cocktail sponsored by EDPS in Le Village

## FRIDAY 24<sup>TH</sup> JANUARY 2020

24.1	GRANDE HALLE	AREA 42 GRAND
7.30	Registration in La Cave	Registration in La Cave
8.45	Legal personality for AI? organised by Cyber and Data Security Lab	Do we have the right to remain faceless? organised by Privacy Salon
10.00	Coffee break	Coffee break
10.30	Regulating Facial Recognition Technology organised by Microsoft	Citizens' use of hobby drones and spying products: new privacy risks and regulatory challenges? organised by TILT
11.45	Is ethical adtech possible? Navigating GDPR enforcement challenges in real-time bidding complaints organised by Open Rights Group	Shared Digital Europe - a vision for regulating internet platforms organised by Centrum Cyfrowe Foundation
13.00	Lunch	Lunch
14.15	Explicit Data Flows: Applying Global Privacy to Extra Sensitive Data organised by CPDP	A US GDPR? Prospects of Legislation, Regulation, and Adequacy organised by The Cordell Institute for Policy in Medicine and Law at Washington University
15.30	Coffee break	Coffee break
16.00	Adtech and the Future of the Internet   The Caspar Bowden Panel organised by CPDP	Imagining a post-GDPR order organised by Ada Lovelace Institute
17.15	Closing Remarks by Wojciech Wiewiorowski	Closing Remarks in Grande Halle
17.30	Cocktail in Le Village	

Coffee Breaks, Lunch and Cocktails will be served in Le Village (Les Halles) or Lounge (Area 42)

PETITE HALLE	LA CAVE	AREA 42 PETIT
Registration in La Cave	Registration in La Cave	Registration in La Cave
Can we ban AI? organised by CPDP	ICANN WHOIS compliance with the European Union's General Data Protection Regulation (GDPR) organised by ICANN	Closed session
Coffee break	Coffee break	Coffee break
The Internet of Health Things: applications, benefits, and challenges organised by IRI, Stockholm University	Beyond individual data breach notifications: complementary strategies to support data subjects organised by JRC	Regulating Artificial Intelligence in Criminal Justice? organised by Faculty of Law, Economics and Finance, University of Luxembourg
AI, Healthcare and the Law organised by Centre for Law and Digital Technologies, Leiden University	Changing Technology and Laws: Can Accountability be a Key to Global Compliance? organised by TrustArc	Data Economy, AI, Privacy and Sustainability in times of Climate Emergency organised by Hangar
Lunch	Lunch	Lunch
13.45 - A chat with Wojciech Wiewiórowski	Practical consequences of PSD2 for personal data protection organised by VUB Chair Data Protection on the Ground	Data protection in the smart city - accountability in the multi-actor city environment organised by Spectre
14.15 - AI and Migration Control: New Tools in the Service of Fortress Borders organised by EDRI		
Coffee break	Coffee break	Coffee break
On regulatory requirements for algorithms used for governmental decisions organised by Vrije Universiteit Amsterdam	Interoperability in the AFSJ and Data Protection: What is missing? organised by CPDP	Closed session
Closing Remarks in Grande Halle		
Cocktail in Le Village		

Coffee Breaks, Lunch and Cocktails will be served in Le Village (Les Halles) or Lounge (Area 42)



## CPDP2020 PANELS AT GRANDE HALLE

### 8:45 – LEGAL PERSONALITY FOR AI?

**Academic \*\*\* Policy \*\*\***

**Organised by** Cyber and Data Security Lab (CDSL) - Vrije Universiteit Brussel

**Moderator** Dara Hallinan, FIZ Karlsruhe (DE)

**Speakers** Paul Nemitz, DG JUST (EU); Giovanni Sartor, EUI (IT); Daniele Bourcier, CNRS (FR); Vagelis Papakonstantinou, CDSL/VUB (BE)

The question whether to grant to AI systems legal personality, trisecting thus the century-old legal dichotomy between a natural and a legal person, has recently exited purely academic dialogue, where it has been actively discussed at least for the past decade, and has forcefully entered policy making: In essence, all recent expert reports outlining the policy options athand when dealing with AI systems have invariably addressed the issue of whether or not to grant them with, new, legal personality. This panel will address relevant questions from a legal, ethics and policy perspective in order to highlight the reasoning behind such options and provide insights for the future.

- Attributing legal personality to AI.
- AI liability.
- Digital personhood.

10:00 – Coffee Break

### 10:30 – REGULATING FACIAL RECOGNITION TECHNOLOGY

**Academic \*\* Business \*\* Policy \*\***

**Organised by** Microsoft

**Moderator** Pete Fussey, University of Essex (UK)

**Speakers** John Frank, Microsoft (US); Wim Liekens, Federal Police (BE); Ann-Charlotte Nygård, FRA (EU); Dragos Tudorache, MEP (EU); Lucy Bradshaw-Murrow, Office of the Biometrics Commissioner (UK)

Facial Recognition Technology (FRT) and the ability of computer vision in recognising people's faces has been improving rapidly over the past decade. This technology serves public safety, citizens and society in important ways but also raises societal concerns that range from intrusions on privacy and informational self-determination to the rise of surveillance states. The European Commission announced legislation for a coordinated European approach on the human and ethical implications of AI, including FRT. In some Member States, DPAs have issued decisions on use cases, in others, legislation is on its way to introduce a legal basis for law enforcement purposes. Regulating FRT, whether on its own or as a part of a broader AI framework, will be complex but required in order to instill trust in its use and build guardrails to protect against its risks. This panel will provide an overview of the developments and current debate as well as an opportunity to discuss the conditions and safeguards that rule of law should provide for.

- Which deployments of Facial recognition technology raise human rights challenges? What is needed in order to instill trust in Facial Recognition Technology's use?
- What are the lessons learnt from court and DPA decisions addressing Facial Recognition Technology?
- What are the gaps in the current legislation?

### 11:45 – IS ETHICAL ADTECH POSSIBLE? NAVIGATING GDPR ENFORCEMENT CHALLENGES IN REAL-TIME BIDDING COMPLAINTS

**Business \*\*\* Policy \*\*\***

**Organised by** Open Rights Group

**Moderator** Ravi Naik, ITN Solicitors (UK)

**Speakers** Nicola Cain, RPC Lawyers (UK); Karolina Iwańska, Mozilla Fellow at Panoptikon Foundation (PL), Gro Mette Moen, Norwegian Consumer Council (NO); Tom van Bentheim, Ster (NL), Linda Worp, Ster (NL)

With regulators across the EU investigating the operation of real-time bidding (RTB) and sizing up when and how to enforce the law, 2020 could be a seminal year for the adtech industry. Almost every website uses RTB systems to display personally targeted adverts. RTB broadcasts a site visitor's personal data - including their IP address, location, browsing history and special category indicators - to a hidden corporate ecosystem without limit or safeguard, a routine and systematic GDPR violation. This panel assesses the complaints against RTB and discusses the implications for industry stakeholders if regulatory enforcement of GDPR requires substantial practical change.

- What factors are complicating GDPR enforcement in the RTB complaints?
- How might Google, the IAB and adtech companies respond to a DPA declaration that RTB is unlawful?
- What challenges do online publishers expect to face if RTB is declared unlawful?
- What ethical criteria and models of online advertising could replace RTB?

13:00 – Lunch

### 14:15 – EXPLICIT DATA FLOWS: APPLYING GLOBAL PRIVACY TO EXTRA SENSITIVE DATA

**Academic \*\* Business \*\* Policy \*\***

**Organised by** CPDP

**Moderator** Gloria González Fuster, LSTS/BPH/VUB (BE)

**Speakers** Elizabeth Coombs, Thematic Action Stream Taskforce at United Nations Special Rapporteur on the Right to Privacy (INT); Anja Kovacs, The Internet Democracy Project (IN); Alexandra Geese, MEP (EU)

Data about sex life and sexual orientation are being regularly processed online globally. These data, however, are perhaps the most special of all 'special categories' of personal data, as even when the interested individuals might have consented to such processing for certain purposes, they still expect – and in some cases critically need – strict protection against other (mis)uses and data flows. Above all, some individuals might be particularly vulnerable to misuse, for instance because of their gender identity. This panel will explore these issues, notably by asking the following questions:

- Which are the key priorities and challenges for the private sector in this area?
- How are the voices of individuals and communities taken into account?
- Are legal frameworks and policies up to date with the significance of the issue?
- Can global initiatives highlighting the importance of gender in thinking about privacy contribute to advance effective protection?

15:30 – Coffee Break

## 16:00 – ADTECH AND THE FUTURE OF THE INTERNET | THE CASPAR BOWDEN POLITICAL PANEL

**Academic \*\* Business \*\* Policy \*\***

**Organised by** CPDP

**Moderator** Thomas Zerdick, EDPS (EU)

**Speakers** Frederik Zuiderveen Borgesius, Radboud University (NL); Helen Dixon, Data Protection Commissioner of Ireland (IE); Johnny Ryan, Brave (US); Simon Hania, Uber (NL); Townsend Feehan, IAB (BE)

Regardless of their outcome, current investigations into the compliance of the AdTech industry with data protection law will define the conditions under which the internet's key business model will function in future. Building on the discussion in the panel organised by the Open Rights Group at 11.45, this panel will bring together key stakeholders in the AdTech-data protection discussion and will seek to chart the landscape, opportunities and challenges for AdTech moving forward. Among others, the panel will consider the following questions:

- What are the likely outcomes of the current investigations into AdTech's compliance with data protection law?
- Will the AdTech industry be able to make the changes required?
- How will the online advertising ecosystem look in the future?
- How will the internet change as a result of changes in AdTech?

## 17:15 – CLOSING REMARKS BY WOJCIECH WIEWIOROWSKI

# CPDP2020 PANELS AT AREA 42 GRAND

## 8:45 – DO WE HAVE THE RIGHT TO REMAIN FACELESS?

**Academic \*\*\*\*\***

**Organised by** Privacy Salon

**Moderator** Kate Bissell, BBC (UK)

**Speakers** Shankar Narayan, ACLU (US); Bogomir Doringier (AT), Jeremy Bailey (CA), Marco (Hong Kong protester 1), Sophie (Hong Kong protester 2)

With the use of facial recognition and biometric technology, it's becoming harder to remain faceless, should we be concerned? Technology is persuading us to hand over our biometric data, so we can play with the way we look. We may not care where our biometrics end up, but for protestors or minority groups, biometrics and facial recognition can have a darker side. This panel will explore from different perspectives whether we should be concerned about handing over our biometric data and whether we actually have a choice.

- What evidence is there that we want to redefine our privacy and become faceless?
- Are we aware of the biometric data we are handing over to companies and governments?
- Are there subversive ways we can trick facial recognition?
- Is it becoming impossible to escape recognition even when we would like to hide?

10:00 – Coffee Break

## 10:30 – CITIZENS' USE OF HOBBY DRONES AND SPYING PRODUCTS: NEW PRIVACY RISKS AND REGULATORY CHALLENGES?

**Academic \*\*\* Business \* Policy \*\***

**Organised by** Tilburg Institute for Law, Technology, and Society - TILT

**Moderator** Achim Klabunde, EDPS (EU)

**Speakers** Maša Galic, TILT (NL); Bart Custers, Leiden university (NL); Hille Koskela, Turku University (FI); Marit Hansen, Data Protection Commissioner of Land Schleswig-Holstein (DE)

The magnitude at which spying technology has recently developed and become available to ordinary citizens is incommensurable with past concerns from the 1960s regarding the use of covert photography and eavesdropping. Two important developments are the increasing recreational use of drones ("hobby drones"), and the increasing availability of "spying products" such as smartphones, GPS trackers, optically-equipped watches, etc. Both these technologies provide for novel ways in which citizens can secretly observe and spy on one-another, particularly visually, orally, and location-based. This creates new privacy risks, including novel technical capacities in terms of recording, zooming, or extended access to public and -increasingly- private spaces. By going beyond the traditional remit of data protection law (and its focus on data flows), these digital spying practices seriously challenge the existing legislative framework, and call for new regulatory solutions.

- How can we define (hobby) spy products?
- How are hobby drones and spy products currently used?
- What are the main novel privacy risks?
- Are there any interesting legislative initiatives and solutions?

## 11:45 – SHARED DIGITAL EUROPE - A VISION FOR EUROPEAN DIGITAL POLICY AND PLATFORM REGULATION

**Academic \* Business \* Policy \*\*\*\***

**Organised by** Centrum Cyfrowe Foundation

**Moderator** Alek Tarkowski, Centrum Cyfrowe Foundation (PL)

**Speakers** Maud Sacquet, Mozilla (BE); Joris van Hoboken, VUB (BE); Paul Keller, IVIR UVA (NL); Michał Boni, Wilfried Martens Center (PL)

In Europe, the new Commission is developing a vision for "a Europe fit for the digital age", on the basis of the old Digital Single Market paradigm. The new Digital Services Act - which entails a review of the E-Commerce Directive combined with new platform regulation - has been announced as a cornerstone of digital regulation. Will civil society be able to propose its own vision for a European regulatory approach to online platforms? As the basis for discussion, we will use the "Shared Digital Europe" policy vision - an alternative framework for digital policy developed by a group of activists in 2018-2019. This new vision focuses on principles that promote decentralisation, self-sovereignty, the commons, and public institutions.

- What is the progressive approach to platform regulation that emerges from the "Shared Digital Europe" vision?
- How can we move away from the market-centric vision of the Digital Single Market and what new values should we focus on?
- Should we shift focus from individual rights and address collective rights as well?
- Should European public institutions play a stronger role in the platform ecosystem?

13:00 – Lunch Break

## 14:15 – A US GDPR? PROSPECTS OF LEGISLATION, REGULATION, AND ADEQUACY

**Academic \*\* Business \* Policy \*\*\***

**Organised by** Cordell Institute, Washington University in St. Louis

**Moderator** Neil Richards, Cordell Institute, Washington University in St. Louis (US)

**Speakers** Julie Brill, Microsoft Corporation (US); Helen Dixon, Data Protection Commissioner of Ireland (IE); Bruno Gencarelli, DG JUST (EU), Woodrow Hartzog, Northeastern University (US); William McGeeveran, University of Minnesota (US)

The United States is poised to act on privacy, but its lawmakers cannot agree on what to do. A range of options are now before American lawmakers, nudged by European law including the GDPR, as well as by state laws like the California Consumer Privacy Act (CCPA). America could choose a data protection model like the GDPR in a strong form protective of fundamental rights or in a watered-down “GDPR-lite” version. It could choose to take a consumer protection direction, imposing substantive rules to protect consumer trust. And any federal regime could either pre-empt state law rules or work in tandem with them. Any US privacy regime would also raise important questions of adequacy and interoperability. This panel delves into all of these urgent and important questions.

- Does the US need its own version of the GDPR in a strong or weak form?
- What role should state laws like the CCPA play in protecting Americans’ data?
- What must US privacy law do to be adequate under the GDPR?
- What role should consumer protection play in U.S. privacy law, whether from the Federal Trade Commissioner or expanded trust duties?

15:30 – Coffee Break

## 16:00 – IMAGINING A POST-GDPR ORDER

**Academic \* Business \* Policy \*\*\*\***

**Organised by** Ada Lovelace Institute

**Moderator** Alessandro Mantelero, Polytechnic Turin (IT)

**Speakers** Carly Kind, Ada Lovelace Institute (UK); Amba Kak, AI Now Institute (US); Orla Lynskey, London School of Economics and Political Science (UK); Ravi Naik, ITN solicitors (UK)

In the short time since the GDPR was adopted, technological developments have already made some of its provisions insufficient. Taking that as a starting point, we want to explore and debate the improved legal frameworks that we will need for the next decade. We will examine areas of regulation that require rethinking alongside conceptual tools that we can bring to this task, such as the dichotomy between personal and non-personal data, the relationship between data protection and market regulations, and the notion of collective privacy. Imagining a post-GDPR order requires a holistic approach to rethinking data and systems for collection, storage and processing. This discussion will consider not only the regulations necessary to effectively guarantee our rights, but also the narratives we use to talk about data and the practices we adopt to steward it.

- How should we conceptualize fundamental data rights in light of artificial intelligence and other data-driven technologies?
- What are the gaps and inconsistencies in existing data regulations?
- What improved legal frameworks do we need for the next decades?
- How do we build effective mechanisms of redress?

17:15 – Closing Remarks by Wojciech Wiewiorowski in Grande Halle

## CPDP2020 PANELS AT PETITE HALLE

### 8:45 – CAN WE BAN AI?

**Academic \*\* Business \*\* Policy \*\***

**Organised by** CPDP

**Moderator** Mark Cole, University of Luxembourg (LU)

**Speakers** Silvia de Conca, Tilburg University (NL); Katharina Creemer, University of Goettingen (DE); Gianclaudio Malgieri, VUB (BE)

The estimated compound annual growth rate of the global emotion analytics market is 32.7 percent over the forecast period from 2018 to 2023, expecting the market to reach 24.74 billion US-dollars by 2020. In addition, AI enters our home, our private lives and can uncover psychological and unconscious processes. At the same time, many of the concepts and assumptions underlying the current privacy paradigm are ill-equipped to adequately address these new developments. This panel offers a re-conceptualization of established concepts such as the private sphere, personal data and psychological integrity in light of developments in AI. Questions that will be central to the panel include:

- To what extent can facial and emotion recognition be adequately dealt with under the data protection regime?
- Is our psychological integrity undermined by artificial intelligence and to what extent does the right to privacy have adequate answers?
- How can the private domain be re-conceptualised when AI enters the home?
- Should we ban AI from the home and from the most intimate aspects of our personality and if so, how?

10:00 – Coffee Break

### 10:30 – THE INTERNET OF HEALTH THINGS: APPLICATIONS, BENEFITS, AND CHALLENGES

**Academic \*\*\*\* Business \* Policy \***

**Organised by** The Swedish Law and Informatics Research Institute

**Moderator** Jessica Radow, Infosys (US)

**Speakers** Cecilia Magnusson Sjöberg, Stockholm University (SE); Barbara Pierscionek, Staffordshire University (UK); Francisco Florez-Revuelta, Universidad de Alicante (ES); Magnus Stenbeck, The Karolinska Institute (SE)

This panel will explore the intersection between AI and health, bringing together experts from across the field. AI can be utilized for a number of different purposes such as to predict and prevent disease, provide personalized healthcare, improve drug development, offer wellness monitoring for chronic conditions and to give support to formal and informal caregivers. Although the application of AI offers major opportunities to improve efficiency and care, there are simultaneously serious concerns that can undercut the use of this technology and its further development. This panel will explore the applications, benefits, and challenges surrounding the Internet of Health Things. It will ask the following:

- Is it just buzz or is AI really revolutionizing the health sector?
- What is the role of de-identification in addressing ethical and legal concerns raised in this context?
- Who is ultimately accountable if a serious error is made by AI?



11:45 – AI, HEALTHCARE AND THE LAW

Academic \*\* Business \*\* Policy \*\*

Organised by eLaw Center for Law and Digital Tehcnologies, Leiden University

Moderator Eduard Fosch Villaronga, eLaw Center for Law and Digital Tehcnologies, Leiden University (NL)

Speakers Robin L. Pierce, Tilburg Institute of Law and Technology and Society (NL), Cristina Andersson, Develor Productions Oy (FI); Marcello Ienca, Health Ethics & Policy Lab at ETH Zurich (CH); Vibeke Binz Vallevik, Oslo University Hospital (NO); Davit Chokoshvili, Megeno (LU)

The integration of artificial intelligence (AI) technologies in healthcare promises safer, more efficient, and more personalized care. Typical applications of such systems include personalized diagnosis, early disease detection, hospitalization risk prediction, and pattern discovery. These technologies process vast amounts of data, can learn from experience and self-improve their performance, which challenges the applicability of existing medical device regulations that were not designed for progressive and adaptive AI. The automated processing of data that will evaluate, analyze, and predict health-related outcomes may also affect not only data protection regulations but also the safety of the individual. In this respect, this panel explores the suitability of the existing legal framework for the increasing development and use of AI in healthcare. The panelists will give concrete examples of AI applications, identify specific problems, and will discuss with the audience potential solutions.

- How is Artificial Intelligence/Machine Learning (AI/ML)-based Software as a Medical Device regulated?
- What are the policy implications for the use and development of AI in healthcare settings?
- What data protection considerations for patients, healthcare practitioners, and developers need to be addressed?
- Might these systems have broader impacts and long-term consequences which are currently unforeseen?

13:00 – Lunch

13:45 – EDPS TALK AT CPDP 2020 - A CHAT WITH WOJCIECH WIEWIÓROWSKI

More information side events section at the back of the brochure (p. 7)

14:15 – AI AND MIGRATION CONTROL: NEW TOOLS IN THE SERVICE OF FORTRESS BORDERS

Academic \*\* Policy \*\*\*\*

Organised by EDRI

Moderator Anna Fielder, EDRI (BE)

Speakers Petra Molnar, Mozilla Fellow for EDRI (CA); Eleftherios Chelioudakis, Homo Digitalis (GR); Christian D’Cuhna, EDPS (EU); Patrick Breyer, MEP (EU)

The systematic detention of migrants at the US-Mexico border; the UK’s wrongful deportation of 7 000 foreign students accused of cheating on a language test. What do these examples have in common? In both cases, an algorithm made a decision with serious consequences for people’s lives. Nearly 70 million people are currently on the move due to conflict, environmental factors, and economic reasons. Many states and international organisations involved in migration management are exploring machine learning to increase efficiency and support border security. These experiments range from big data predictions about population movements in the Mediterranean, to Canada’s use of automated decision-making in immigration applications, to AI lie detectors deployed at European airports. Most of these experiments fail to account for the far-reaching impacts on lives and human rights. These unregulated technologies are developed with little oversight, transparency, and accountability.

- For what purposes and how are AI, and automated decision-making systems used for immigration and border controls?
- What are the implications of such use for human rights of migrants, refugees and asylum seekers?
- How are these rights enforced or violated at the borders and within states?
- What best practices and policy measures need to be taken going forward?

15:30 – Coffee Break

16:00 – ON REGULATORY REQUIREMENTS FOR ALGORITHMS USED FOR GOVERNMENTAL DECISIONS

Academic \*\* Business \*\* Policy \*\*

Organised by Vrije Universiteit Amsterdam

Moderator Arno R. Lodder, SOLV lawyers (NL)

Speakers Marlies van Eck, eLaw Institute Leiden University (NL); Tom Korman, European Parliament (EU); Heleen Janssen, Dutch Ministry of the Interior and Kingdom Relations (NL); Jennifer Cobbe, Cambridge University (UK)

The use of algorithms by government goes way back, e.g. in the 1990s sentencing systems were developed as well as decision systems for unemployment benefits. Most systems were not Artificial Intelligence (AI), but straightforward executing decision trees. Since 2013 through advances in machine learning, Artificial Intelligence has entered practice on a wide scale, including government. In this panel we look at (self-)learning algorithms, and what legal constraints should apply to governmental decisions based on use of these algorithms. Questions addressed are:

- Which algorithms we do allow and which not, and in case we allow algorithms, under what conditions?
- What conditions should be met when government uses algorithms developed by private parties?
- Under what circumstances can the human in the loop be meaningful?

17:15 – Closing Remarks by Wojciech Wiewiorowski in Grande Halle

CPDP2020 PANELS AT LA CAVE

8:45 – ICANN WHOIS COMPLIANCE WITH THE EUROPEAN UNION’S GENERAL DATA PROTECTION REGULATION (GDPR)

Academic \* Business \*\* Policy \*\*

Organised by ICANN

Moderator Alexandros Koronakis, Association of European Journalists of Belgium (BE)

Speakers Claudia Selli, AT&T (IT); Stefan Filipovic, University of Oslo (NO); Adam Peake, ICANN (UK); TBC

In May 2018, ICANN put in place a Temporary Specification to bring existing WHOIS obligations in line with GDPR. The “Temp-Spec” and subsequent policy processes launched by the ICANN global community ensured WHOIS is compliant by creating a tiered access system. The EDPB noted it “expects ICANN to develop and implement a WHOIS model which will enable legitimate uses by relevant stakeholders, such as law enforcement, of personal data concerning registrants in compliance with the GDPR, without leading to an unlimited publication of those data”. However, obtaining legitimate access to non-public WHOIS data necessary to enforce the laws online, including in the fight against cybercrime, remains a challenge. The ICANN community has been actively working on a solution to balance the law’s data protection requirements with the legitimate interests of third parties seeking access to non-public gTLD registration data.

- What are the options that can be considered to balance the law’s data protection requirements with the legitimate interests of third parties seeking access to non-public gTLD registration data?
- What progress has been made by the community process, what challenges remain?
- Can there be a solution that successfully meets the public interest goal that legitimate access to non-public registration data serves the legitimate interests of all parties involved, including DPAs, or must we live with the current fragmented situation?

## 10:30 – BEYOND DATA BREACH NOTIFICATIONS: COMPLEMENTARY STRATEGIES TO SUPPORT DATA SUBJECTS

**Academic \*\* Business \*\* Policy \*\***

**Organised by** Joint Research Centre

**Moderator** Ignacio Sanchez, Joint Research Centre (EU)

**Speakers** Dina Kampouraki, EDPS (EU); Martin Lopatka, Mozilla (CA); Armand Heslot, CNIL (FR); Markus Duermeth, Ruhr University Bochum (DE); Tadek Pietraszek, Google (CH)

Massive online personal data breaches continue to be a growing issue given their detrimental effects in terms of both data protection and cybersecurity. These events have become a valuable source of information for cybercriminals, who are increasingly abusing the leaked personal data of affected individuals to carry out more effective and efficient cyberattacks. This session will tackle this growing problem and discuss potential initiatives to complement measures taken by data controllers in order to assist them in the task of notifying individuals and preventing further damage to them. It will analyse existing initiatives from a data protection angle and explore their potential to complement the current GDPR implementation measures for data breach notifications. The panel will also take a prospective look at possible novel EU initiatives to reinforce and complement existing strategies in this regard.

- What are the risks faced by individuals whose personal data has been leaked in a breach? How are cybercriminals today abusing these data in cyberattacks?
- Considering the obligations of data controllers, what are the current challenges that they are facing in order to protect affected individuals from further abuse of leaked information by cybercriminals?
- How can the related initiatives proposed by the cybersecurity and data protection communities (e.g. password security and data breach notification services) contribute to protect data breach victims?
- What is the necessary criteria for these services to ensure compliance with the existing data protection regulatory framework? What other strategies could be envisaged to complement existing initiatives?

## 11:45 – CHANGING TECHNOLOGY AND LAWS: CAN ACCOUNTABILITY BE A KEY TO GLOBAL COMPLIANCE?

**Academic \* Business \*\* Policy \*\*\***

**Organised by** TrustArc

**Moderator** Nathalie Laneret, Centre for Information Policy Leadership - CIPL (FR)

**Speakers** Paul Breitbarth, TrustArc (NL); Lauren Bourke, OECD (INT); Carol Evrard, Stibbe (BE); Peter Kimpian, Council of Europe (INT)

Since the adoption of GDPR in 2016, the data protection regulatory landscape around the world is changing faster than ever before. Countries are updating existing privacy and data protection rules or introducing completely new laws, imposing stricter norms on organisations and providing more rights for individuals. From 2020, California and Brazil and various other countries and regions will be subject to more data protection rules, whilst debates on data protection rules continue in Canada, in various African countries and in India, to name but a few. At the same time, questions are being raised if these new laws are enough. Are we really able to come up with rules that are future- and technology-proof? Or do we keep running behind the facts? Especially in the age of big data, machine learning, algorithms and artificial intelligence, legislation seems to struggle to keep up. This panel will explore if a broader adoption of the accountability principle in law, as well as an operationalisation of the principle by companies, can serve as one of the keys to better compliance.

- What does data protection accountability look like in 2020 and has it changed since its conception in the 1980s?
- Can accountability contribute to ensure new technologies comply with data protection laws?
- Are the current legal frameworks sufficient to deal with technological change or do we need 'less technology-neutral' laws?
- What can other jurisdictions learn from the EU approach to AI, machine learning and big data? Or should the EU learn from other countries instead?

## 14:15 – PRACTICAL CONSEQUENCES OF PSD2 FOR PERSONAL DATA PROTECTION

**Academic \* Business \*\* Policy \*\*\***

**Organised by** VUB Chair Data Protection On The Ground

**Moderator** Jo Pierson, VUB (BE)

**Speakers** Jo Coutuer, Febelfin/BNP Paribas Fortis (FR); David Martin, BEUC (BE); Helena Koning, Mastercard (BE); Anna Buchta, EDPS (EU)

The updated Payment Services Directive (PSD2) regulates payment services providers throughout the EU. The update's purposes were to harmonize consumer protection and increase competition and innovation in the payment market by allowing non-banks to participate. Whereas many are struggling with PSD2 compliance, some banks and new market entrants are making quick strides. While consumers are mostly interested in the convenience of new payment apps, threats to security and informational privacy may be looming. Which practical consequences of PSD2 for personal data protection can we expect? Some new entrants are large platforms eager to expand data-driven services with highly valuable information on consumer-spending. Could one consequence of PSD2 be the accumulation of more types of personal data in the same hands?

- How to provide transparency to (legally required) algorithmic credit assessments?
- Considering competitive pressures but also competition and data protection legislation, which data can be shared?
- With whom can such data be shared?

## 16:00 – INTEROPERABILITY IN THE AFSJ AND DATA PROTECTION: WHAT IS MISSING?

**Academic \*\*\* Policy \*\*\***

**Organised by** CPDP

**Moderator** Diana Dimitrova, FIZ Karlsruhe (DE)

**Speakers** Sergio Carrera, CEPS (BE); Teresa Quintel, Luxembourg University (LU); Christiane Höhn, Council of the European Union (EU); Priscilla De Locht, EDPS (EU)

In 2019, the EU passed two Regulations on the Interoperability of EU large-scale information systems. Their declared objectives are, inter alia, to improve the effectiveness and efficiency of border checks at the EU's external borders and to combat illegal immigration by connecting all centralized databases in the Area of Freedom, Security and Justice (AFSJ). In addition, the Regulations seek to streamline law enforcement access to stored information in order to contribute to the prevention, detection and investigation of terrorist offences and of other serious crime and to facilitate the identification of unknown persons. The concerned databases include the Visa Information System (VIS), the Schengen Information System (SIS), Eurodac, relevant Europol and Interpol databases, as well as the future European Criminal Records Information System for Third Country Nationals (ECRIS-TCN), the European Travel Information and Authorisation System (ETIAS) and Entry/Exit System (EES). Critics have been continuously pointing out the data protection risks created by the envisaged interoperability. These stem, amongst others, from the complex interplay between the applicable data protection rules, the insufficient safeguards for data subjects, as well as from the doubts about the necessity and proportionality of the two Regulations.

- What are the less obvious effects of the two Interoperability Regulations - for the existing AFSJ databases and beyond?
- Are data protection principles such as purpose limitation still relevant, or should they be reconsidered in the context of migration and border control?
- What do the two Interoperability Regulations tell us about the interplay between the GDPR, Directive 2016/680, the Europol Regulation and Regulation 2018/1725?

- Will the two Interoperability Regulations make it more difficult for data subjects to exercise their rights? Why?

17:15 – Closing Remarks by Wojciech Wiewiorowski in Grande Halle

# CPDP2020 PANELS AT AREA 42 PETIT

## 8:45 – CLOSED SESSION

10:00 – Coffee Break

## 10:30 – REGULATING ARTIFICIAL INTELLIGENCE IN CRIMINAL JUSTICE?

**Academic \*\* Business \* Policy \*\*\***

**Organised by** Faculty of Law, Economics and Finance, University of Luxembourg

**Moderator** Juraj Sajfert, Vrije Universiteit Brussel (BE)

**Speakers** Katalin Ligeti, University of Luxembourg (LU); Anna Moscibroda, DG JUST (EU); Lani Cossette, Microsoft (BE); Frank Schuermans, Supervisory Body for Police Information (BE)

AI can make predictions about where, when, and by whom crimes are likely to be committed. AI can also estimate how likely it is that a suspect, defendant or convict flees or commits further crimes. Against the backdrop that AI helps predictive policing and predictive justice, what should the EU’s legal and policy responses be, in particular after the adoption of the Artificial Intelligence Ethics Guidelines? One approach is to count on the vitality of recently adopted data protection laws -in particular, Law Enforcement Directive (EU) 2016/680. Another approach would be to launch a regulatory reform process, either in or out of the classical data protection realm. This panel will look at the usefulness and reliability of AI for criminal justice and will critically asses the different regulatory avenues the new European Commission might consider.

- How does the idea of “trustworthy AI” translate into the area of criminal law?
- Should we not ban the use of predictive policing systems or the use of AI in criminal law cases, on the basis of ethics?
- Does the new European Commission plan to propose legislation in this area? If yes, what would be the objectives of such new laws? Should the actors leading such a reform be different from the ones that were leading the EU data protection reform?
- Is it possible to develop predictive justice and predictive policing, and still respect the requirements of the GDPR and Directive (EU) 2016/680?

## 11:45 – DATA ECONOMY, AI, PRIVACY AND SUSTAINABILITY IN TIMES OF CLIMATE EMERGENCY

**Academic \*\* Business \*\* Policy \*\***

**Organised by** Hangar.org

**Moderator** Tere Badia, Culture Action Europe/ CAE (EU)

**Speakers** Joana Moll, Hangar.org (ES); Fieke Jansen, Cardiff University (UK); Alexandra Lutz, Greens/EFA (BE); Yaser Hammadi, Minesipder (DE)

In 2008, the Internet was already responsible for the 2% of CO2 global emissions, exceeding those of the entire aviation industry. The amount of users and network connections has increased at a whopping pace ever since. As an indication of this: global energy demand related to internet-connected devices is increasing 20% a year. In 2015, ICTs already accounted

for 3-5% of the world’s electricity use and it is expected that by 2025 ICT will consume 20% of it, which would potentially hamper global attempts to meet climate change targets. Given the growing significance of this impact in the global economy, there is an urgent need to raise awareness and ensure more sustainable and responsible development whilst harnessing the huge potential for adding value in our society. This panel will discuss how society could efficiently tackle the critical environmental toll of our current data ecosystem and imagine future sustainable technologies and modes of operating within these technologies. The panel will consider, among other issues:

- The hidden environmental impact of the current data economy.
- The materiality of AI and future environmental costs of automatizing actions.
- The environmental impact of devices: ethical and environmental concerns on mineral sourcing.
- Policy for sustainable privacy, data economy and AI.

13:00 - Lunch Break

## 14:15 – DATA PROTECTION IN THE SMART CITY – ACCOUNTABILITY IN THE MULTI-ACTOR CITY ENVIRONMENT

**Academic \*\*\* Business \* Policy \*\***

**Organised by** SPECTRE Research Project

**Moderator** Natalie Bertels, KU Leuven (BE)

**Speakers** Lilian Edwards, Newcastle University (UK); Damian Clifford, University of Melbourne (AU); Antonio Kung, Trialog (FR); Gerald Hopster, Dutch Data Protection Authority (NL); Nicolas Kourtellis, Telefonica (ES)

With technology being ever more present in our lives, and bringing about much applauded efficiencies for urban life, smart city initiatives are becoming increasingly popular. And with them come privacy and data protection challenges; in smart cities, the spectre of privacy looms. The existence of a comprehensive EU legal framework on data protection is much welcomed, yet, implementing the law proves challenging in the data intensive and multi-actor smart city environment. Focusing on accountability as a key principle in the GDPR, this panel discusses challenges, opportunities and best practices that emerge on the road to privacy-aware and accountable cities. It reflects on DPIAs as accountability tools, experiences from smart city DPIAs and considerations on costs, difficulties in assigning responsibilities among different actors and multiple smart initiatives spread across the city, citizen engagement and the role of standardization.

- Can DPIAs become effective accountability tools in the smart city?
- Is there scope for the smart citizen, academia or civil society to act as data protection watchdogs?
- Does the complexity of the smart city ecosystem comprised of different public and private actors impact data protection?
- Personal data and sensitive data in the smart city - Controllershship challenges

15:30 – Coffee Break

## 16:00 – CLOSED SESSION

17:15 – Closing Remarks by Wojciech Wiewiorowski in Grande Halle



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The European Data Protection Supervisor is an independent supervisory authority, with responsibility for monitoring the processing of personal data by the EU institutions and bodies, advising on policies and legislation that affect privacy and cooperating with similar authorities at national level. The EDPS remit includes:

- developing and communicating an overall vision, thinking in global terms and proposing concrete recommendations;
- providing policy guidance to meet new challenges in the area of data protection;
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### ELECTRONIC PRIVACY INFORMATION CENTER (EPIC)

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# Stibbe

### STIBBE

Stibbe's team of privacy and data protection specialists provides its clients with insight, foresight and experienced pragmatism. The team has over 20 years of experience in dealing with data protection authorities from different jurisdictions. The team is embedded in Stibbe's TMT practice (Technology Media and Telecoms), and, as a result, the members have a thorough understanding of information technology and data communication networks. The team is involved in data governance protection projects for national and international clients, covering an a broad range sectors, such as media/entertainment, finance, communications, industry and transport, consumer goods, government and healthcare. Typical projects include privacy health checks, corporate data exchange and monitoring programs and policies.



### TRUSTARC

TrustArc is the leader in privacy and data protection solutions and offers an unmatched combination of innovative technology, services and TRUSTe certification solutions. TrustArc addresses all phases of privacy program management and has been delivering innovative privacy solutions for two decades to companies across all industries. The TrustArc platform leverages deep privacy expertise, integrated research and proven methodologies, which have been continuously enhanced through thousands of customer engagements. Nymity was acquired by TrustArc in 2019. Nymity provides business-friendly software solutions that minimize time to compliance with the world's privacy laws including the CCPA, GDPR, and LGPD. Headquartered in San Francisco, and backed by a global team across the Americas, Europe, and Asia, TrustArc helps customers worldwide demonstrate compliance and accountability, minimize risk and build trust. For additional information visit [www.trustarc.com](http://www.trustarc.com) and [www.nymity.com](http://www.nymity.com).



### WILSON SONSINI GOODRICH & ROSATI (W&S GR)

Wilson Sonsini Goodrich & Rosati is a global law firm that helps clients maintain the highest standards for data protection while successfully pursuing their business interests. We have a fully integrated global practice with substantial experience in advising companies on all facets of global and EU privacy laws, including on topics such as big data, connected cards, cloud computing, and the Internet of Things. We have unique experience with complex multi-jurisdictional privacy investigations, enforcement actions, and litigation. We also counsel clients on the review of the EU data protection legal framework.

## THANK YOU

This conference would not be possible without the industrious support of Sophie Vanaelst, Els Vertriest and Laurence Schepens and all Medicongress staff, and the technical support of Olivier De Baere and his team at Create Live. Also, for the mastery of our caterer KoKoen, thank you to Koen Devolder and his team for providing such delicious food! A big thank you to Christophe Galent, Tristan Bourbouze and Camille Charleux for the great partnership between CPDP and Les Halles all these years and thank you to all the staff of Les Halles for making it possible to hold our event in one of the most famous and well reputed cultural centres in Brussels. Thank you very much to Fernand Van Bever and his team from Les Halles for making all this "technically" feasible. It's a kind of magic! To Samuel Wodinski – and his team – whose relentless filming and photography will provide us with great visuals of the conference, the panels and the side events. To Karin Neukermans for her great work behind the scenes doing the financial administration. Many thanks also to the job students and the volunteers, who have done and are doing a wonderful job.

Special thanks to all people involved in organising the side events of CPDP. Especially a big thanks to Thierry Vandembussche who coordinated and organised the great line up of side events including the curation of the art exhibition Mensch Maschine. Imge Ozcan, Andreea Belu and Rocco Bellanova for organising a brilliant line-up for Privacy Camp. Thank you to the Brussels Privacy Hub for organising the pre-event. Alok Nandi (Architempo) for organising yet another fantastic Pecha Kucha! Big thank you to David Shrigley who designed this year's programme brochure cover.

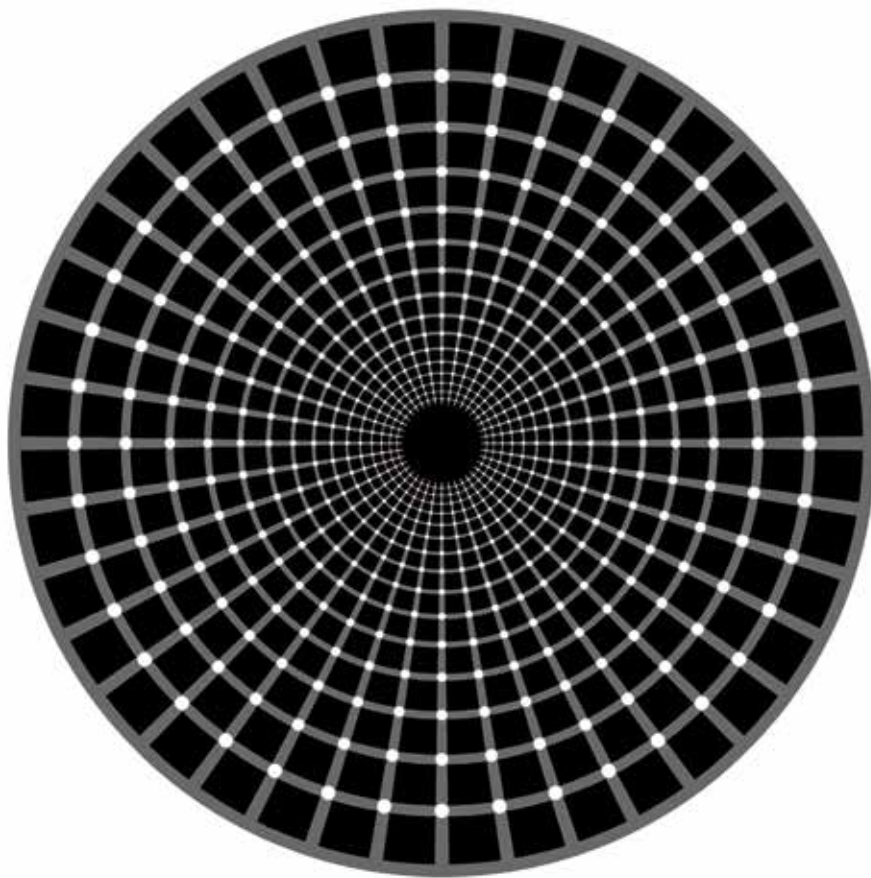
Dara Hallinan, Ronald Leenes, Serge Gutwirth and Paul De Hert, the editors of the conference proceedings did a great job again. As with every year, they have produced a book of high value which leaves written proof of what CPDP is: an ambitious bet to knock down barriers among disciplines, think together, innovate and leave a mark in the privacy and data protection world. Thank you also to our brilliant team of reviewers for the CPDP2020 call for papers: Andrew Adams, Bettina Berendt, Gergely Biczók, Michael Birnhack, Franziska Boehm, Maurizio Borghi, Magda Brewczyńska, Tineke Broer, Ian Brown, Colette Cuijpers, Katerina Demetzou, Claudia Diaz, Diana Dimitrova, Massimo Durante, Stefano Fantin, Gloria González Fuster, Inge Graef, Marit Hansen, Dennis Hirsch, Kristina Irion, Shaz Jameson, Lina Jasmontaite, Lucas Jones, Irene Kamara, Els Kindt, Ioulia Konstantinou, Eleni Kosta, Joanna Kulesza, Ashwinee Kumar, Henrik Junklewitz, Ronald Leenes, Daniel Le-Métayer, Giovanni Livraga, Orla Lynskey, Alessandro Mantelero, Aaron Martin, Hideyuki Matsumi, Paulus Meessen, Hiroshi Miyashita, Giorgio Monti, Hellen Mukiri-Smith, Nóra Ni Loideáin, Merel Noorman, Matthieu Peeters, Tjaša Petrocnik, Robin Pierce, Maria Grazia Porcedda, Nadezhda Purtova, Claudia Quelle, Gianluigi Riva, Sara Roda, Arnold Roosendaal, Kees Stuurman, Iván Székely, Mistale Taylor, Simone van der Hof, Bart van der Sloot, Yung Shin Van Der Sype, Sascha van Schendel, Evelyn Wan, Gabriela Zanfır-Fortuna, Tal Zarsky, Nicolo Zingales and for the CPDP2019 conference book: Alessandro Mantelero, Anni Karakassi, Arnold Roosendaal, Ashwinee Kumar, Aviva de Groot, Bart Van der Sloot, Bert-Jaap Koops, Bettina Berendt, Carolin Moeller, Chiara Angiolini, Christopher Millard, Claudia Quelle, Colette Cuijpers, Damian Clifford, Daniel Le Métayer, Deepan Kamalakanthamurugan Sarma, Diana Dimitrova, Edoardo Celeste, Eleni Kosta, Emre Bayamlıoğlu, Franziska Boehm, Frederik Zuiderveen Borgesius, Gabriela Zanfır-Fortuna, Gergely Biczók, Gianluigi Riva, Hideyuki Matsumi, Hiroshi Miyashita, Inge Graef, Ioannis Kouvakas, Ioulia Konstantinou, Iraklis Symeonidis, Irene Kamara, Ivan Szekely, Jaap-Henk Hoepman, Jef Ausloos, Joris van Hoboken, Joseph Savirimuthu, Kristina Irion, Lina Jasmontaite, Linnet Taylor, Lorenzo Dalla Corte, Maria Grazia Porcedda, Marit Hansen, Massimo Durante, Michael Birnhack, Michael Friedewald, Michael Veale, Monica Palmirani, Nicholas Martin, Nicolo Zingales, Nora Ni Loideain, Omer Tene, Raphaël Gellert, Robin Pierce, Sascha Van Schendel, Shaz Jameson, Silvia De Conca, Simone Casiraghi, Tetyana Krupiy, Tjerk Timan and Yung Shin Van Der Sype.

A special word of gratitude goes out to Nick Van Hee, our web-master and graphic designer, who has been with CPDP since the very beginning and even under great pressure always stays positive, someone with a hugely creative mind, a strenuous worker and authentic team player.

Last but not least, the Programming Committee of CPDP2020 would like to thank all sponsors, conference partners, event partners, moral supporters and media partners for their generous support and everyone who has approached us with new ideas and topics for panels. Without them CPDP2020 would not have been possible!



# privacytopia & CPDP side events



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<http://www.psy.ritsumei.ac.jp/~akitaoka/>

This image is part of the Pecha Kucha presentation on Wednesday 22/01  
by Sonia de Jager (The Geist in the Machine: A Roundabout Investigation of Ambiguity  
and Discreteness in Human and Machine Vision)

agenda

CPDP

pre-events / side-events / post-events

15.1

Vernissage

Exhibition

Mensch Maschine

📍 Botanique, Rue Royale  
236, 1210 Brussels

📅 8-13

20.1

Fairness,

Computation and

the GDPR

📍 Institute of European  
Studies

🌐 website

21.1

Privacy Camp 2020:

Technology and

Activism

📍 LaVallée

🌐 website

21.1

IPEN 2020 Panel

on Web Tracking

📍 EDPS - Giovanni Buttarelli  
Room

🌐 website

21.1

EDPS World Café

on AI governance

📍 EDPS - Giovanni Buttarelli  
Room

🌐 website

21.1

CPDP2020 Opening

Night ceremony

📍 Les Halles - Petit Halle

📅 4

22-24.1

CPDP soundsystem

- music experience

room

📍 Area 42

📅 14-17

22.1

Live stream panel

discussion

📍 Les Halles - Grande Halle

📅 4

22.1

Pecha Kucha night

at CPDP2020

📍 Les Halles - Grande Halle

📅 18-19

22.1

EPIC + CNIL/Inria

AWARD ceremony

📍 Les Halles - Grande Halle

📅 5

23.1

Roundtable

Cities, Data and

Platform Labour

📍 Area 42

📅 5

23.1

EDPL Young

Scholars Award

📍 Area 42 Petit

📅 6

23.1

FPF Masterclass:

Understanding

Machine Learning

📍 Area 42

📅 6

23.1

Launch of the

educational game:

Admins & Hackers

📍 Area 42

📅 6

23.1

Cocktail

Exhibition

Mensch Maschine

📍 Botanique, Rue Royale  
236, 1210 Brussels

📅 7,8-13

23.1

The Official

CPDP2020 Party:

DO THE ROBOT

📍 Area 42

📅 7

23.1

AI & privacy music

video special

📍 Area 42

📅 7

28.1

Data Protection Day

2020

3.2

Launch of the new

Chair for

Surveillance Studies

📍 Botanique

📅 20

26.5

GDPR Salon

📍 VUB (Building 'I')

📅 20

Privacytopia and other endeavors.

The Computer, Privacy and Data Protection Conference (CPDP) is the beating heart of something bigger. You, dear reader, will probably realise that very well. But what I'm specifically talking about here is a vessel called Privacytopia, a yet undefined project which exists by the grace of this beating organ and by its affection for artistic expression. Privacytopia has been a dream for many years. Since the launch of CPDP in 2007 there has always been an urge to bridge the academic research with visionary and outlandish points of view from artists who deal with the wide spectrum of issues discussed during CPDP panels. And on the side, CPDP has been developing different types of projects over the years; exhibitions, artist talks, screenings, debates. In 2020 this umbrella, under which we develop all our artistic projects become adolescent, ready to take a leap into a full-grown state during the coming years. We hope it will turn your world upside down, like flipping this brochure in order to look at things from the other side.

In this part of the brochure you will read about all the side events. Projects developed by Privacy Salon, but also by the many important partner organisations. We are proud to invite you to our new art exhibition 'Mensch Maschine', a group show at Botanique. This is an exciting venue in the Brussels art scene, located next to Hotel Bloom. We also developed a music room at Area42: the CPDP soundsystem, where you will be able to take a break and listen to music related to privacy, data and AI. You can attend our live radio broadcast shows with DJ's, concerts, talks and even the development of a Manifesto on the topic of Digital Pollution (in collaboration with Crosstalks and The Word Radio). You will have the chance to play the board game Admins & Hackers - Governance of Data-Driven Innovation. There are short-film screenings on the topic of surveillance. And we hope you will enjoy a break from everydayness at the official CPDP party 'Do The Robot' organised by Mozilla. Let our agenda be your guide, where we also posted some pre and post CPDP events like the annual Privacy Camp, EDPS world café on AI governance, the IPEN 2020 panel on Web Tracking or the ALTEP-DP / LSTS day on 'Fairness, Computation and the GDPR'. Post events are the launch of a new VUB Chair in Surveillance Studies which will be celebrated as a Mensch Maschine event at Botanique, Brussels in February and the third edition of GDPR Salon in May.

Looking into the future we even go as far as dreaming up the next few years of Privacytopia, which we want to expand to an annual public arts festival in Brussels, connecting many of the fascinating art and governmental institutions, academics, researchers, civil society and – most of all – a larger public of all ages. End-users of data and technological developments, who similarly need to enjoy their right to be invisible.

Thierry Vandenbussche  
Arts & Events Director

# CPDP Side Events

21.1 • CPDP2020 Opening ceremony, organised by Brussels Privacy Hub

## ‘State surveillance and the evolution of the ePrivacy reform: the hidden agenda behind a fundamental rights instrument’

**DATE** Tuesday 21/1/2020 from 19.00 till 21.15 (one hour and 15 minutes panel discussion, one hour reception)  
**ORGANIZED BY** Brussels Privacy Hub • **SUPPORTED BY** CPDP2020  
**LOCATION** Les Halles, Petit Halle, Koninklijke Sinte-Mariastraat 22 a, 1030 Brussels  
**OPENING REMARKs** by Mistale Taylor (BPH/Trilateral Research)  
**SPEAKERS** *Chair* Estelle Massé (Access Now); Cornelia Kutterer (Microsoft); Joris van Hoboken (VUB/UvA); Peter Eberl (European Commission); Frederik Zuiderveen Borgesius (Radboud University Nijmegen)  
**MORE INFORMATION** <https://brusselsprivacyhub.eu/events/21012020.html>

There is an urgent need to update the current, outdated EU ePrivacy legislation. First, there is a need to reform the current rules to be in line with the data protection law reform that culminated in the GDPR. Second, there is a need to rephrase the current ePrivacy Directive to have more of a fundamental rights focus, especially given the application of the EU Charter of Fundamental Rights. Third, there is a need to reflect enormous changes in technology since the current ePrivacy Directive started applying in 2002. This review has been happening for years, but the EU Council has continually watered down the privacy protections in the text and, on 22 November 2019, rejected the text as a whole, meaning its future is unclear. Despite this, the EU nonetheless needs an updated ePrivacy law.

One particularly problematic aspect of the earlier draft of the ePrivacy Regulation was the article (then Article 11) on ‘restrictions’. If not carefully drafted, this article could enable problematic indiscriminate retention of personal data, which the Court of Justice of the EU has previously ruled is almost always unlawful in its landmark 2014 Digital Rights Ireland (C-293/12 and C-594/12) and 2016 Tele2-Watson (C-203/15 and C-698/15) cases. This potential mass data retention could enable worrisome State surveillance, particularly as some versions of the proposed ePrivacy reform’s scope excluded data processing for law enforcement purposes. This general topic deserves more focus than it has received. How has the evolution of the suggested texts moved to allow this gap; what are the specific issues; and what are recommendations to change it? After years of attempting to find consensus on a text, the European Commission will present a revised ePrivacy proposal as part of the Croatian Presidency, but the underlying normative issues still remain: what is the way forward? This event will analyse the extent to which the ePrivacy reform and its evolution lends itself to State surveillance or instead protects important State interests whilst better safeguarding fundamental rights. It aims, too, to make recommendations for what should happen in the next part of this ongoing process.

22.1 • Live stream panel discussion, organised by European Parliamentary Research Service

## Understanding EU policy on data protection: State-of-play and future challenges

**DATE** Wednesday 22/1/2020 from 13.30 till 15.00 • **ORGANIZED BY** European Parliamentary Research Service  
**LOCATION** Area42 / Room A, Paleizenstraat 46, 1030 Brussels  
**SPEAKERS** Eva Kaili, MEP; Paul Nemitz, European Commission; Anna Buchta, EDPS; Shara Monteleone, Italian Data Protection Authority.

The monthly ‘Understanding the European Union’ series of briefing seminars gather in-house and outside experts to explain EU processes, policies and issues from first principles. This seminar will address recent developments and challenges ahead for the new European Parliament in the important field of data protection and privacy. The discussion will explain EU legislative work expected in the coming term, notably pending legislation and the forthcoming evaluation of the GDPR. It will also touch upon new challenges that policy-makers will have to tackle in coming years, such as the future of data protection and privacy rights in light of Artificial Intelligence, facial recognition, and the Internet of Things (IoT). This EPRS event is organised to coincide with, and in conjunction with, the 13th International Conference on Computers, Privacy and Data Protection (CPDP).  
*The live panel discussion happens at the Library Reading Room - Altiero Spinelli Building - 5th floor - European Parliament.*

22.1 • EPIC award & CNIL-INRIA award + EPIC Cocktail

## EPIC Champion of Freedom Award and CNIL/Inria Privacy Protection Award

**DATE** Wednesday 22/1/2020 at 18:25 Award Ceremony in Grande Halle: EPIC Champion of Freedom Award and CNIL/Inria Privacy Protection Award • at 18:50 Cocktail sponsored by EPIC in Le Village  
**LOCATION** Les Halles, Grande Halle & Le Village, Koninklijke Sinte-Mariastraat 22 a, 1030 Brussels  
**MORE INFORMATION** [www.epic.org](http://www.epic.org) • [www.cnil.fr](http://www.cnil.fr) • [www.inra.fr](http://www.inra.fr)

**EPIC Champion of Freedom Award**  
The award is given annually to one individual outside of the United States who has shown great courage and dedication in the defense of privacy. Previous recipients: Giovanni Buttarelli (2019), Joe McNamee (2019), Gus Hosein (2018), Artemi Rallo (2018), Alexander Dix (2017), Viviane Reding (2016), Peter Hustinx (2015), MEP Jan Philipp Albrecht (2014), Max Schrems (2013), Jennifer Stoddart (2012), MEP Sophie In’t Veld (2011), Justice Michael Kirby (2010), Prof. Stefano Rodota (2009).  
The jury is chaired by Marc Rotenberg. Jury members: Alessandro Acquisiti, Ross Anderson, Colin Bennett, Ryan Calo, Jennifer Daskal, David Flaherty, Paul de Hert, Pamela Jones Harbour, Woodrow Hartzog, Kristina Irion, Malavika Jayaram, Lorraine Kisselburgh, Pablo Molina, Helen Nissenbaum, Stephanie Perrin, Bilyana Petkova, Max Schrems and Nadine Strossen.

**CNIL/Inria Privacy Protection Award**  
The CNIL-Inria Privacy Award is given annually to the authors of a computer science paper that contributes to the improvement of privacy or the protection of personal data. The paper may de- scribe a fundamental research result, a technical innovation or provide a state of the art of a privacy related area. It must be the result of work carried out, at least in part, in a research lab in the Euro- pean Union and must be published in the two years preceding the opening of the competition.  
The CNIL-INRA award is chaired by Nataliia Bielova (INRIA) & Francois Pellegrini (CNIL)

The evening concludes with a cocktail sponsored by EPIC at La Village.

23.1 • Roundtable

## Roundtable Cities, Data and Platform Labour

*part of the VUB StadsSalonsUrbains 2019-20 Lecture series: Platform Urbanism: Data Commons, Citizen Contestation and the Governance of Cities*  
**DATE** Thursday 23/1/2020 at 11:45 • **ORGANIZED BY** LSTS-Vrije Universiteit Brussel  
**LOCATION** Area42 / Room A, Paleizenstraat 46, 1030 Brussels  
**MODERATED BY** Seda Guerses, TUDelft (NL)  
**PANEL** Lina Dencik, Data Justice Lab, University of Cardiff (UK), James Farrar, Worker Info Exchange (UK), William Webster, University of Stirling (UK), more to be confirmed

The rise of smart cities is taking place in parallel to the global development of platforms generating unprecedented urban data maps. From mobility to food, from cleaning to accommodation, policing to general surveillance, a variety of policies and services are being increasingly built upon – and constantly generating – massive amounts of data. While the discourse around smart cities often assumes common and noble goals between those processing data and those to whom the data relate to, the growth of platforms has met digital resistance, mostly from those who work (in a way or another) for them. This panel will tackle issues around cities, data, and platform labour, asking notably:

- How can we study better data and/in the city to illuminate contemporary urban governance?
- What do apparent data cracks of platform urbanism tell about data and labor exploitation?
- How is worker surveillance by platforms impacting different rights, including labor, immigration, and consumer rights?
- Which is the role of data protection law in these tensions?



# CPDP Side Events

## 23.1 • Award ceremony

## EDPL Young Scholars Award

**DATE** Thursday 23/1/2020 at 16:00 • **LOCATION** Area42 Petit, Paleizenstraat 46, 1030 Brussels  
**MORE INFORMATION** <https://www.lexxion.eu>

The Young Scholar Award (YSA), hosted by the European Data Protection Law Review (EDPL) in cooperation with CPDP, is given annually to outstanding emerging researchers in the field of privacy and data protection law. During this panel session, the three best young academic will present their research and discuss it with the competition jury members and the audience. The winner of the award will be revealed at a ceremony at the end of the YSA panel. Presenters:

- **Thilo Gottschalk**, Karlsruhe Institute of Technology (DE) *The Data-Laundromat? Public-Private-Partnerships and Publicly Available Data in the Area of Law Enforcement*
- **Thiago Moraes**, Tilburg University Master Thesis (NL) *Sparkling Lights in the Going Dark: Legal Safeguards for Law Enforcement's Encryption Circumvention Measures*
- **Johan Peeters**, KU Leuven Master Thesis (BE) *Data Protection in Mobile Wallets*

The winner will be announced at the end of the panel. The jury that will comment on the papers will consist of **Franziska Boehm** (KIT), **Maja Brkan** (University of Maastricht), **Hielke Hijmans** (Belgian Data Protection Authority) and **Bart van der Sloot** (Tilburg University).

## 23.1 • Future of Privacy Forum Masterclass

## Masterclass: Understanding Machine Learning

**DATE** Thursday 23/1/2020 from 16:00 till 18:00 • **ORGANIZED BY** Future of Privacy Forum  
**LOCATION** Area42 / Room A, Paleizenstraat 46, 1030 Brussels  
**MORE INFORMATION** <https://www.eventbrite.com/e/masterclass-understanding-machine-learning-tickets-86928426263>

This Masterclass is aimed at policymakers, law scholars, social scientists and others who want to more deeply understand the data driven technologies that are front of mind for data protection discussions. Structured as an interactive lesson, technology experts will present a training session focused on Artificial Intelligence and Machine Learning. Attendees will be provided with a copy of “The Privacy Experts Guide to Machine Learning” and will join leading machine learning experts for a presentation geared at bringing the details of the technology to an audience without an in depth computer science background. In addition to a primer on the basics of the field, issues of particular consequence to policymakers such as fairness, bias, and data minimization will be examined.

## 23.1 • CPDP2020 side event

## Launch of the educational game: Admins & Hackers

**DATE** Thursday 23/1/2020 at 18:30 • **LOCATION** Area42 / Room A, Paleizenstraat 46, 1030 Brussels  
**ORGANIZED BY** Max Von Grafenstein - Governance of Data-Driven - [www.hiig.de](http://www.hiig.de)  
**PLAYERS** can subscribe for a game by mailing Max Von Grafenstein: [max.grafenstein@hiig.de](mailto:max.grafenstein@hiig.de)

**Context:** A serious game to provide data protection and security training for employees. • **Players:** 3–30 in up to five groups  
**Time:** approximately 90 min • **Age:** 16–99 years • **Difficulty:** Beginners and advanced players

Game description: Your company depends on data-driven innovation. Should you invest solely in algorithms and data? Or should you spend your limited resources on data protection and security measures too? Which protection measures should you focus on to make sure that hacks and fines don't wipe out your profits? In this serious game, you get together with other would-be admins and compete to create the most successful company in a data-driven economy. But you are under attack: technical problems, hackers, privacy activists and the mighty data protection authority may make your life miserable, drain your resources and destroy your reputation. Without proper security and data protection mechanisms in place, your business will be easy prey. Your challenge is to assess the risks in a complex situation, balance competing requirements and choose a way that allows you to reap the benefits of the wealth of the available data and innovative algorithms while still complying with the law and protecting the rights of the data subjects.

## 23.1 • CPDP cocktail in presence of some of the artist

## COCKTAIL EXPOSITION MENSCH MASCHINE

**DATE** Thursday 23/1/2020 at 19:00 • **CURATED BY** Thierry Vandenbussche and Privacy Salon  
**LOCATION** Botanique – [www.botanique.be](http://www.botanique.be) – Rue Royale 236, 1210 Brussels  
More information on pages 4-7.

## 23.1 • The Official CPDP2020 Party

## DO THE ROBOT

**DATE** Thursday 23/1/2020 from 20:00 till 03:00  
**ORGANIZED BY** Mozilla  
**LOCATION** Area42, Paleizenstraat 46, 1030 Brussels

Mozilla invites you to join us in raising the glass for AI, data protection and privacy in the digital age at the CPDP party. Drinks, nibbles, tunes and good times at Area42. ou will also enjoy at the CPDP soundsystem audiovisual experience room a special session of music videos on AI and robots covering the whole history of pop music, feat. VJ Soeur Veillance.. See you there.



## 23.1 • CPDP Side event

## AI & privacy music video special

**DATE** Thursday 23/1/2020 from 22:00 till 01:00 • **ORGANIZED BY** LSTS, Privacy Salon, CPDP  
**LOCATION** Area42, Paleizenstraat 46, 1030 Brussels

During the official CPDP Party ‘Do The Robot, organized by Mozilla, on Thursday evening the Music Experience Room will go into party mode with human video-selectors (incl. VJ Soeur Veillance).

## 24.1 • CPDP Side event

## EDPS talk at CPDP 2020 - A chat with Wojciech Wiewiórowski

**DATE** Friday 24/1/2020 from 13:45 till 14:10 • **ORGANIZED BY** European Data Protection Supervisor EDPS  
**LOCATION** Les Halles, Petit Halle, Koninklijke Sinte-Mariastraat 22 a, 1030 Brussels

CPDP 2020 is among the first public appearances of Wojciech Wiewiórowski as the newly appointed European Data Protection Supervisor, after the joint decision of the European Parliament and the Council in December 2019. The chat will be an opportunity to hear a bit more from the new EDPS about his expectations for the fourth mandate, from 2020 to 2024. Wojciech Wiewiórowski has agreed to answer questions asked by Politico journalist Vincent Manancourt, on stage in Petite Halle during the last lunch break of the conference.

www.privacysalon.org - www.botanique.be

Lucie Planty(FR), Chris Dreier (DE),  
Jenna Sutela (FI), Joanna Żylińska (UK/PL),  
Adina Camhy (AU), Constant vzw (BE),  
Mélodie Mousset (FR/CH), Heather  
Dewey-Hagborg (US) & Dasha Ilina (RU)

An exhibition by Privacy Salon at BOTANIQUE  
Koningstraat 236 Rue Royale - 1210 Bruxelles

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Mensch Maschine



Chronique De L'Humanité © Lucie Planty

The exhibition Mensch Maschine has been developed specially for the Computer, Data & Privacy Protection conference 2020. The show has been curated by the new Art & Events Director at Privacy Salon, Thierry Vandenbussche. He has been creating art projects and exhibitions for nearly two decades.

**LOCATION** Botanique – www.botanique.be – Rue Royale 236, 1210 Brussels

**DATES** January 16th until February 16th, 2020

#### SPECIAL EVENTS

15/01 • Opening on January 15th at 19:00

23/01 • CPDP cocktail in presence of artists at 19:00

03/02 • Launch of the new Chair in Surveillance Studies - VUB

The exhibition Mensch Maschine is touching on elements of machine learning fundamentals: the feed, the successes, as well as the failures. News about technological development seem to be generally positive. However, critical journalism and research are teaching us about machine learning as a biased and even discriminating entity.





*ERMA (pillow), 2015 © Chris Dreier*

This exhibition opens with a historical point of view through the artwork called *Chronique de L'humanité* by the French artist **Lucie Planty**, whose practice evolves around books and the art of editing. The work displays images and drawings depicting humanity in a chronological order, on a nearly endless scroll. It is a digital reproduction of a book edited by Hachette editions in 1986, from which all textual content has been erased. The last image in the chronicle is Armstrong's landing on the moon. Hence, in this work, humanity seems to grow into something new from there on...

**Chris Dreier** is an icon from the Berliner 1980's punk scene, whose artwork has oftentimes been forged from an activist's point of view. She created a series of tapestries related to privacy, data and war technology. *ERMA* is a cushion made of the first machine readable font.

*nimiia vibié* is a peculiar work by Finnish artist Jenna Sutela for which she exploits a machine to create a Martian language through AI. The source for the language comes from a bacterium which is considered to be Martian.

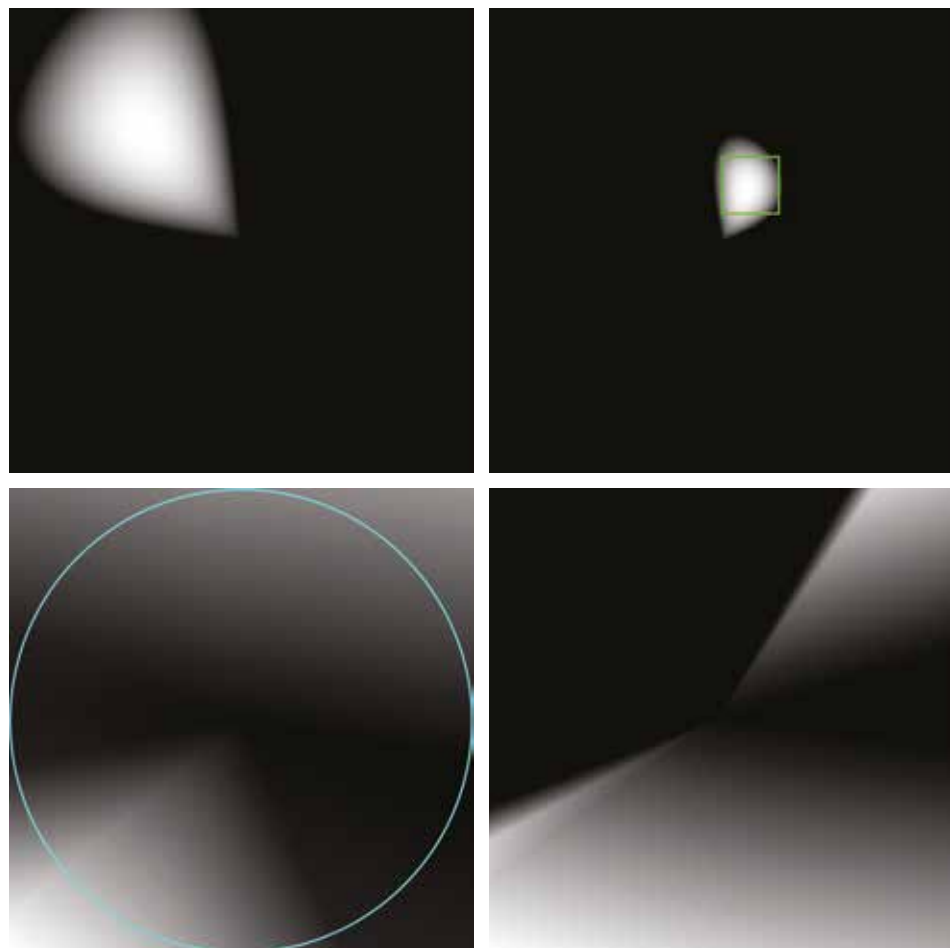


*Nonhuman Vision (film still), HD-video, 07\_06 min., 2018 © Joanna Zylińska*

**Joanna Zylińska** is a writer, lecturer, artist and curator, working in the areas of new technologies and new media, ethics, photography and art. She is a Professor of New Media and Communications, and Co-Head of the Department of Media and Communications at Goldsmiths, University of London. In her video 'Non-human vision', she offers a compelling insight on the idea of AI dreaming up the human outside the human. The work reflects on the idea of when the camera shapes and regulates life, even far beyond ways that humans commonly use to exploit cameras. Non-human photography is neither of, by or for the human.

In *How do you see me?*, the artist **Heather Dewey-Hagborg** utilized adversarial processes, algorithms that are designed to deceive machine learning systems. In the research, she creates a self-portrait that doesn't resemble the artist at all, although the image will be recognized as such.





*How do you see me? 2019 © Heather Dewey-Hagborg*

The artist and electronic musician **Adina Camhy** analyzes in her video 'MENSCH MASCHINE OR PUTTING PARTS TOGETHER' different possible relationships between humans and machines, specially based on gender issues. The work originated when instead of the specific synthesizer the first-person narrator asked for, she got an unwanted kitchen robot for her birthday.

The Center for Technological Pain by **Dasha Iliina** mocks and questions our increasing connection, as a body, to the Internet of Things. The center produces a selection of DIY and Open Source objects to relieve pain caused by digital technologies such as smartphones and laptops. Among the developed prototypes are mechanical eye shields that reduce eyestrain, a headset to free the user's hands, an insomnia-free box and various more or less absurd gadgets to relieve tense elbows and fingers. CTP also offers DIY manuals on how to build low-tech accessories from cheap materials.

In the **Constant** Bookcorner you can find a collection of books published by and around Constant, association for art and media. Bookmarks are inserted to trace an ongoing reflection on the many ways that 'humans' and 'machines' co-construct each other. These books are made with Free and Open Source Software and published under open content licenses. (books.constantvzw.org) In the virtual reality world Hannahanna by French/Swiss artist **Mélotie Mousset**, the spectator enters a desolate landscape in which he/she is free to reshape and create a new world from scratch. This world has been shaped while avoiding the male gaze that easily infects designing technologies.

Curated by Thierry Vandenbussche and Privacy Salon.



*Center for Technological Pain (CTP), 2017-ongoing © Dasha Iliina*



*Mensch Maschine Or Putting Parts Together (film still), 2019 © Adina Camhy*



# cpdp soundsystem





# cpdp soundsystem

CPDP soundsystem is a room to relax, sit back and enjoy music on the topics of AI, data protection and privacy. It might also be a room where you can think (differently?) about all this, tapping your feet at the same time. Or maybe even sing along. Or dance. Or play air guitar.

CPDP soundsystem offers a variety of Music Experiences.

## The CPDP soundsystem Playlists

On Wednesday morning, Thursday morning and Friday the CPDP soundsystem invites you to listen to curated audio playlists, presenting special selections of tracks assembled by artists, musicians and researchers. Invited by Privacy Salon and LSTS (VUB), they will explore from their own perspectives the intersections between music and sound and CPDP-subjects. The playlists are one-hour thematic compilations by: Fredo Desmet, Gloria González Fuster, David Murakami Wood, the Office for Joint Administrative Intelligence, Jenna Sutela, Joris Van Hoboken, and Mathias Vermeulen.

A postcard with detailed timing is distributed at CPDP, also find more information at the entry of CPDP soundsystem.

## The CPDP soundsystem Video Party

During the official CPDP2020 party 'Do The Robot' the CPDP soundsystem will go into party mode with human video-selectors (feat. **VJ Soeur Veillance**).

*Thursday 23/01 starting at 21:00.*

## The CPDP soundsystem Live Radio Broadcasting

On Wednesday afternoon and Thursday afternoon, Privacy Salon organises live radio broadcasting from the CPDP soundsystem room in collaboration with the Brussels based The Word Radio and Crosstalks (VUB): live DJ sets, concerts and seminars on the topic of Data Pollution and AI. Stay tuned through theword.radio.

The Word Radio is an online community radio run by The Word from studios located in Brussels (Belgium), in what used to be the neighbourhood's last standing farm. Broadcasting 24/7, with a mix of fortnightly, monthly and seasonal shows, the radio acts as a rallying space for Belgium's often-overlooked underground talent, a platform that unites the country's disparate scenes under one same banner. Expect anything from radio shows, DJ sets and live performances from their more than 100 monthly residents - all Belgian or based in Belgium - with the odd guest or two thrown in for good measure.

### The Word Radio DJ sets:

- **Guillaume Kidula**, founder of Schiev festival and a resident of The Word radio (22/01 – 17:00)
- **Otis**, Brussels-based DJ and co-founder of the Slagwerk label and collective (23/01 – 17:00)

### The Word Radio Live concerts:

- **Pauline Miko**, Brussels-based producer - [www.instagram.com/paulinemiko/](https://www.instagram.com/paulinemiko/) (22/01 – 18:00)
- **Helenah**, Brussels-based producer (23/01 – 18:00)

## Crosstalks live radio sessions

The internet is too often seen as something intangible. However, the internet is affecting every aspect of our lives, institutions and society. An increasing amount of energy is required to power everything from sending and receiving emails, using search engines and social media, and storing all that data. The digital emission is about 3% of the global CO2 emission, comparable to and as fast increasing as emissions of aviation.

An energy similar to the aviation industry and global emissions of about 3%. This is one challenge with digital toxins. Another one is even harder to detect: increasing anxiety, polarization, the illusion of shared context and the loss of trust.

It's high time to hack the misleading metaphors of the digital. 'Home' is not a guarantee for privacy, the 'Cloud' is a bare metal infrastructure rather than a server virtualization and 'Free' is neither 'gratis' nor unconditional.

As with environmental pollution, an un-disciplinary approach imposes itself, involving academic research from engineering, psychology, design, corporate world to activists, artists and policymakers. The CROSSTALKS/WORD RADIO sessions aim at generating awareness as a first step to a manifesto for action.

### Session 1 Wednesday 22/01 - 14:00

Digital Pollution: Intro session with input by the audience.

### Session 2 Wednesday 22/01 - 16:00

Digital Pollution: What? How does it look? How does it sound?

Studioguest: **Joana Moll**, **Catho Van Den Bosch**

### Session 3 Thursday 23/01 - 16:00

Digital Pollution: Workshop session for a Manifesto/Awareness of Digital Pollution

Studioguests: **Luc Deleu**, **Pieter Ballon**, **Jacques Vermeulen (Nokia)**, **Rita De Graeve**

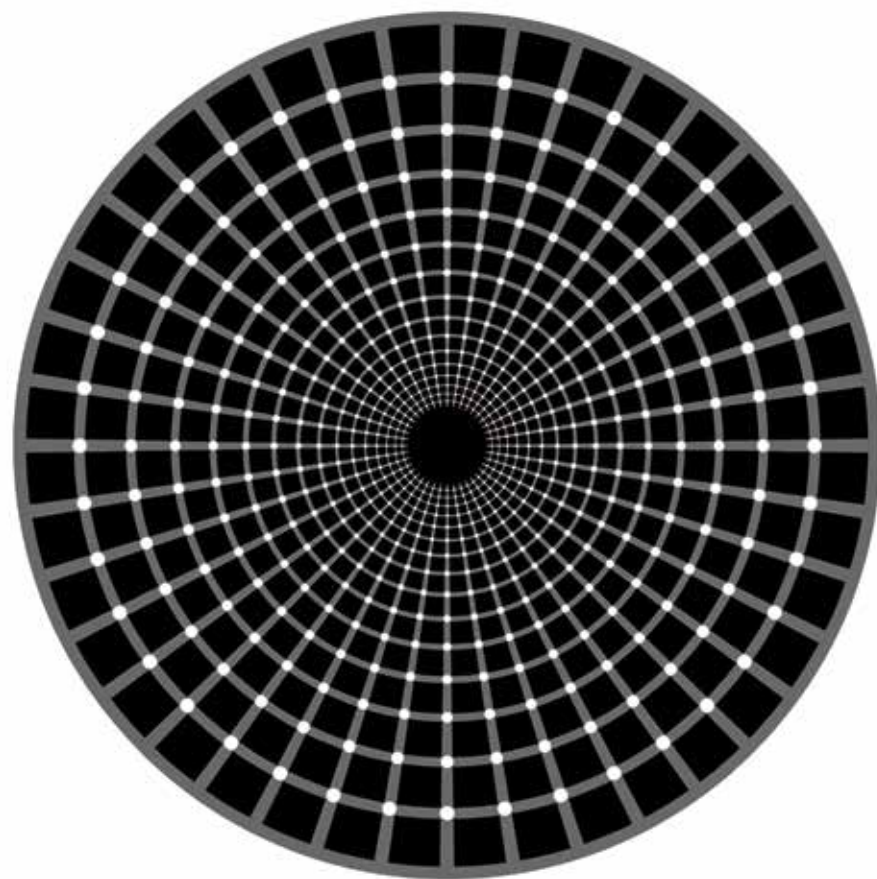
**About:** Since 2003, **VUB Crosstalks** creates a dynamic knowledge exchange through thematic and transdisciplinary encounters. VUB Crosstalks aims at novel insights and escape routes out of a society driven by profit and divided by power, income, race, gender, education and age.

## For the live radio broadcast Privacy Salon invited

**Sonia de Jager** (Erasmus School of Philosophy, Regenerative Feedback) will present a sound art piece inspired by the ideas of data-deceit and indexical camouflage, composed entirely out of existing material which, after having become severely chopped and screwed, transform into nearly-unrecognizable versions of themselves, which still retain the quality of being either 'highly musical' and/or sounds with clearly recognizable origins. **22/01 – 15:00**

**Alex Zakkas**, **Martino Morandi** & **Dennis Pohl** come to talk about their project 'Measured poises, crowd noises' which consists of a walk at the annual Christmas market in the centre of Brussels. Accompanied by the scent of gluhwein and croustillons, they will observe and discuss surveillance techniques that are currently being deployed at Winterpret (cf. Winter Fun) and other major events in Brussels. Wireless crowd management technologies have become a very common method to monitor crowds in public spaces based on the unique identifiers of their mobile phones. They keep a close eye on the movements of city dwellers through public space, without requiring their explicit permission or active cooperation. (a project in collaboration with Constant – [www.constantvzw.org](http://www.constantvzw.org)) **23/01 – 14:00**





## Pecha Kucha night at CPDP2020

Traditionally the Computer, Privacy and Data Protection conference is hosting a night of Pecha Kucha. Pecha Kucha is Japanese for chit-chat. The concept is a storytelling format where a presenter shows 20 slides for 20 seconds of commentary each (6 minutes and 40 seconds total). At CPDP2020 the main subject will, obviously, be about data protection, privacy and AI.

**DATE** Wednesday 22/1/2020 at 20.00 • **ORGANIZED BY** Pecha Kucha & Privacy Salon

**SPEAKERS** **Jef Ausloos & Joanna Strycharz** (Univ. of Amsterdam, ICDS), **Giuseppe Attoma Pepe** (Design, UX and more at Attoma Paris), **Cédric Callewaert** (AUXAU, atelier d'architecture), **Bogomir Doring** (artist, curator, film maker), **Dasha Ilina** (Center for Technological Pain), **Sonia de Jager** (tech philo), **Martin Naithani** (blockchain and design), **Thierry Tinlot** (India voyage), **Sacha Waedemon** (digital engagement)

To lift a corner of the veil, here are some intro's to our Pecha Kucha talks:

**An artist and an engineer walk into a bar. What do they have in common? Or art about tech-pain, the gig economy, surveillance and robots.**

This brief, but intense presentation by digital artist **Dasha Ilina** will serve as an introduction to her artistic practice, specifically 4 projects on very different subjects united by an overarching theme - critique of technology. As the title of the conference suggests, the works presented are around the subjects of addiction to technology and tech-pain, the demanding workflow of gig economy workers, the issues of privacy around surveillance, and the ethics behind employing a care robot.

Dasha Ilina is a Russian digital artist based in Paris, France. Her work explores the relationship we develop with the digital devices we use on a daily basis, specifically in regards to the human body. Ilina's work centers around the notions of care and technology, DIY practices and low-tech solutions to examine various issues such as phone addiction, tech-related health problems and privacy in the digital age. She is the founder of the Center for Technological Pain, a center that proposes DIY solutions to health problems caused by digital technologies. She is also the co-director of NØ SCHOOL.

### The Geist in the Machine: A Roundabout Investigation of Ambiguity and Discreteness in Human and Machine Vision

During this presentation we will explore, via various types of optical illusions involving motion and color perception, that ambiguity is at the core of most of our visual—and a lot of the time, of course, conceptual—experiences. Moreover, even though binary principles underlie the logic of modern computation, new developments in computational vision used to predict the incoming frame(s) in video sequences could also provide new answers to the question of visual ambiguity. We will conclude that as machine learning learns, its crucial development is not that it becomes more “intelligent”—unless what it does comes to redefine the concept of intelligence—but that it becomes less and less recursively monotonous.

**Sonia de Jager** holds a BFA from the Rietveld Academie in Amsterdam, two MA degrees from Leiden University and currently pursues a doctoral degree at the Erasmus School of Philosophy in Rotterdam. She also runs the music and philosophy conference Regenerative Feedback (NYC, Rotterdam, CDMX, Bs. As.).

### GDPR, one year after. What citizens do know and love about it?

**Joanna Strycharz** (MSc.) is a PhD Candidate of Persuasive Communication at the Amsterdam School of Communication Research, University of Amsterdam. Her 3-year PhD project is part of the Research Priority Area ‘Personalised Communication,’ an interdisciplinary cooperation between the Institute for Information Law and ASCoR supervised by prof. Natali Helberger, prof. Edith Smit and prof. Guda van Noort. She examines consumer knowledge of privacy issues related to data collection by commercial organizations for personalized marketing purposes and consumer empowerment. In her studies, she has been applying an interdisciplinary approach which combines theories and insights from communication science, information law and consumer psychology, and using a combination of methods and measurements including qualitative, quantitative and computational research. As of February 2020, she has been appointed Assistant Professor of Persuasive Communication at ASCoR.

**Jef Ausloos** is working as a postdoctoral researcher at the University of Amsterdam's Institute for Information law (IViR) and an affiliated researcher at the KU Leuven's Centre for IT & IP Law. His research centers around data-driven power asymmetries and the normative underpinnings of individual control, empowerment, autonomy and transparency in the modern-day, largely privatised information ecosystem. Jef obtained holds a PhD from the University of Leuven (2018) titled ‘The right to erasure: safeguard for informational self-determination if a digital society?’. Jef holds degrees in law from the Universities of Namur, Leuven and Hong Kong. He has worked as an International Fellow at the Center for Democracy & Technology and the Electronic Frontier Foundation and has been on research stays at the Berkman Center for Internet & Society (Harvard University) in 2012; the Institute for Information Law (University of Amsterdam) in 2015; and the Centre for Intellectual Property and Information Law (Cambridge University) in 2017.

### Dance of Urgency

Dance is understood as a way of socialising, as nonverbal communication, as an art form, as ritualistic practice. Still, one would hardly look at dance floors to understand what those dancing individuals and crowds are expressing or why they are moving. How does the dance of people in clubs reflect the socio-political environment and struggles of individuals and groups?

Clubbing during the NATO bombing of Belgrade (Serbia) in 1999 introduced **Bogomir Doring** to dance as a coping mechanism and as a political phenomenon. Wanting to understand these powerful yet uncanny memories, in 2014 he started to film clubs from a bird's-eye view, striving to document variations of collective and individual choreographies worldwide. In this quest, he discovered two different forms of dancing: that of entertainment, pleasure and that one of urgency. Clubs are seen as a ground for ritualistic practice and as experimental spaces that employ different audiovisual art forms. Some clubs can transmit activist and spiritualist ideas, and so form an influential counterculture.

Doring established definition of a dance of urgency, a dance that rises from the emotions that occur in times of personal or collective crises. Such a dance aims to empower individuals or collective.

# CPDP Post Events

## 3.2 • Launch of the new VUB Chair

## New VUB Chair in Surveillance Studies

**DATE** Monday 3/2/2020 from 18:00 • **ORGANIZED BY** VUB Chair in Surveillance Studies and Privacy Salon  
**LOCATION** Botanique – [www.botanique.be](http://www.botanique.be) – Rue Royale 236, 1210 Brussels • **RSVP** at [thierry@privacysalon.org](mailto:thierry@privacysalon.org)  
**MORE INFORMATION** [https://www.vub.be/chair-in-surveillance-studies#chair-in-surveillance-studies-\(en\)](https://www.vub.be/chair-in-surveillance-studies#chair-in-surveillance-studies-(en))

On 1 October 2019, the VUB Chair in Surveillance Studies started. The Chair is based at the LSTS research group and is supported by the research groups CRIS and SMIT. The Chair is coordinated by Professor Dr. Rosamunde van Brakel.

The main objectives of the Chair in Surveillance Studies are:

Stimulating and encouraging interdisciplinary research in Surveillance Studies

Stimulating cooperation and exchange of researchers within different research groups of the VUB, other researchers and research groups in Belgium and from across the world who do research on surveillance

Creating a knowledge center on surveillance in Belgium and exploring the possibility of establishing an interfaculty research group at the VUB.

The launch event is due to take place on February 3th at Le Botanique, Brussels, where we also organise the exhibition Mensch Maschine. The event starts at 6pm. RSVP at [thierry@privacysalon.org](mailto:thierry@privacysalon.org)

## 26.5 • Data Protection event

## GDPR Salon 2020

**DATE** Tuesday 26/5/2020 from 9:00 • **ORGANIZED BY** Privacy Salon, LSTS-Vrije Universiteit Brussel, LSEC and VVSG.  
**LOCATION** Building 'I' - Aula 0.03 – VUB Campus Etterbeek, Pleinlaan 2, 1050 Brussels, Belgium  
**MORE INFORMATION** <https://www.gdprsalon.be>

GDPR Salon is the yearly gathering of the most important stakeholders, DPOs and privacy professionals in the public and private sector. The event provides cases, insights and reports on GDPR and ePrivacy. On May 26th, the GDPR Salon will showcase the latest innovations, software tools and training opportunities, with panel sessions on the most pressing GDPR topics and several networking opportunities to talk to experts. The GDPR Salon is the result of the collaboration of the Privacy Salon, CPDP, VUB, LSEC and VVSG.



**2HanaHana 花華 (VR experience), © Mélodie Mousset**

**Artists** at CPDP2020: Adina Camhy (Botanique), Constant (Botanique), Heather Dewey-Hagborg (Botanique), Chris Dreier (Botanique), Dasha Ilina (Botanique), Akiyoshi Kitaoka (CPDP2020 – back-cover image), Pascal Konan (info at Les Halles), Esmeralda Kosmatopoulos (Area42), Mélodie Mousset (Botanique), Lucie Planty (Botanique), David Shrigley (CPDP2020 cover image), Jenna Sutela (Botanique), Ben Van Den Berghe & Alexey Shlyk (Area42), Joanna Żylińska (Botanique)

**Artists** in CPDP2020 Panels: Jeremy Bailey, Bogomir Doring, Adam Harvey, Addie Wageneknecht

**Musicians, Dj's, Vj's** at CPDP2020: Helenah, Pauline Miko, Guillaume Kidula, Otis, VJ Sœur Veillance