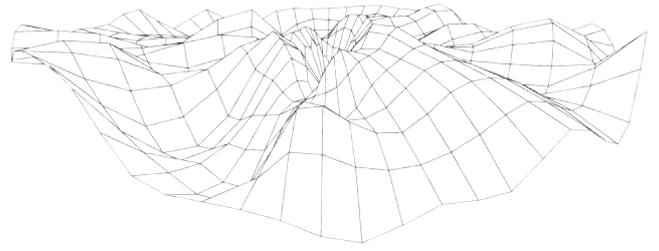
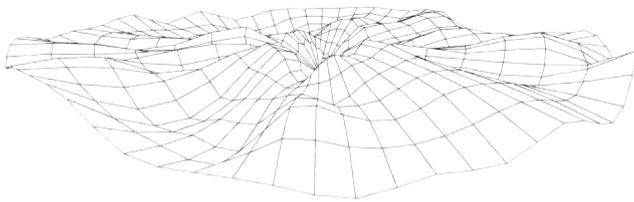


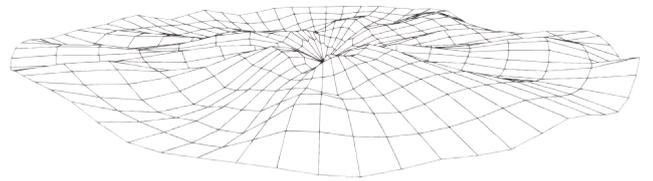
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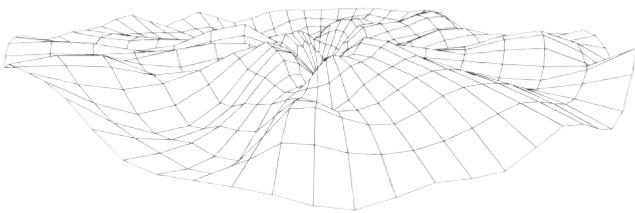
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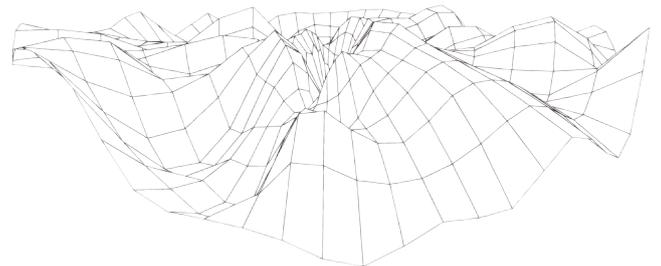
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15<sup>th</sup> INTERNATIONAL CONFERENCE 📅 23 - 25 MAY 2022 📍 BRUSSELS, BELGIUM  
 COMPUTERS, PRIVACY & DATA PROTECTION  
**#CPDP | DATA PROTECTION & PRIVACY**  
**2022 | IN TRANSITIONAL TIMES**

15<sup>th</sup> INTERNATIONAL CONFERENCE  
23 - 25 MAY 2022 | BRUSSELS, BELGIUM  
COMPUTERS, PRIVACY  
& DATA PROTECTION  
**CPDP2022**  
DATA PROTECTION  
& PRIVACY IN  
TRANSITIONAL  
**TIMES**



## Pick the Right Footwear.

It is hard to write a foreword when the ground is not stable. Things (CPDP included) move, and the golden rule of hiking applies more than ever: *Pick the Right Footwear*. We recommend lightweight hiking boots as opposed to heavier or lighter footwear: some trails might be rocky, others might be easier to walk on, but it is hard to anticipate, so keep options open.

At the programming site of CPDP we faced similar hard choices. Aiming at breaking news-oriented panels is one of our ambitions, but the news that breaks changes daily. At the technology front there are reported breakthroughs about super and quantum computers. Some of the new computation miracles are now produced in Asia, yet another breakthrough in terms of the geopolitics of innovation.

At the regulatory front Europe, and the European Union, is still leading in many respects, and, to believe the *Washington Post* (April 22, 2022), its laws now are expected to influence the regulatory debate in the United States. We at CPDP believe that the influence will not be straightforward and that a 'gold standard for regulating online platforms' has not been reached. First Amendment concerns might explain for more political insistence in the States on a more hands-off approach to content moderation, to give just one example. Rather than propagating a regulatory race, CPDP stands for propagating discussions internationally, whereby concerns and experiences ('what works?') are compared and assessed. Leading EU Commissioner Margrethe Vestager's tweet for example ("The Digital Services Act will make sure that what is illegal offline is also seen & dealt with as illegal online – not as a slogan, as reality! And always protecting freedom of expression!") will be one of the references in the debate. At face value, the tweet seems to promise the best of all possible worlds in hardly fair terms, since what is bothering the political elite in Europe is not so much illegal information on social media, but some legal information that is considered 'harmful'.

"Free speech is the bedrock of a functioning democracy, and Twitter is the digital town square where matters vital to the future of humanity are debated," Musk said in a statement at end of April after having put \$44 billion on the table to buy Twitter. The agency of big firms in the realm of human rights is a classical topic of attention at CPDP, and many voices, including academics, feel strongly about this topic. Equally, in April 2022, Google, after having been alerted by the scientific community, banned dozens of apps from its Google Play store for using hidden data-harvesting software that documents link to U.S. national-security contractors. Creating a safe infrastructure for our digital society cannot be entrusted only to governments.

Speaking of which. The past year has further obscured our understanding of good and bad, when *The New Yorker* ('How democracies spy on their citizens') revealed another spy scandal, this time by the Spanish government, making use of the controversial spy technology *Pegasus*.

It is common to hear that the many seemingly unprecedented events and developments that characterized the experience of 2020 and 2021, have contributed to the feeling that we are living in a time of transition and change – both for better and for worse. CPDP in May (as opposed to CPDP in January) will (hopefully) be one without quarantine measures and travel restrictions and allow for networking and drinks after intensive days listening and debating. We learned from the 'digital' restructuring of the recent past. In particular *CPDP Global*, our new, online addition to this year's programme, must be mentioned in this respect. It spotlights global developments in data protection and privacy. This online track is screened for the CPDP in-person audience at La Cave, where the online and offline audiences are able to interact. The programme is bursting with activities. Join us, pick the right footwear, and travel light by leaving your dinner bowl at home to eat directly from the CPDP cook pot.

Warm Regards,

Paul De Hert

Cover Art © Artist: Taietzel Ticalos, screen shots from the video 'Shapes of Regret' when Yahoo! CEO apologizes for a data breach (2018 - 2022)

# GENERAL CONGRESS INFORMATION

## REGISTRATION & NAME BADGE

Registration opens on Sunday 22 May from 16:00 in La Cave at Les Halles. From Monday 23 to Wednesday 25 May, registration is in La Cave from 7:30. You will receive a name badge with the dates of attendance.

## 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 of Les Halles.

## INTERNET LOGIN AND PASSWORD

Select SSID or Network: CPDP • Password: CPDP2022

## VENUES

CPDP takes place simultaneously in two venues. Three tracks of sessions will take place at Area 42 - in the Grand, Midi and Petit rooms. Area 42 is located at 3 minutes walking distance (250 m) from Les Halles. Two tracks of sessions will take place at Les Halles - in the Grande Halle and La Cave. Maps will be available at the information desk in La Ruelle. There will be signposts and volunteers will help to show the way to Area 42.

## LUNCH AND COFFEE BREAKS

Early lunch will start at 12:30 in Area 42. Regular lunch will start at 13:00 in Les Halles. To make the best of CPDP in spring-time, you can also take your lunch outside to the garden of Maison des Arts. Follow the signposts to find the garden (access via Les Halles). Coffee will be served in Area 42 and Les Halles.

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). Please switch off your phone during all sessions.

## NETWORKING AND SIDE EVENTS

Cocktails will take place in Le Village starting at 18:30 on Monday and Tuesday and at 19:00 on Wednesday. Don't forget to follow the side events programme for more networking, receptions, and the official party in Area 42.

You can purchase drinks tokens from the registration desk in La Cave and the information desk in Area 42.

## PLEASE RESPECT SILENT TIMES & AREAS

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

## VIDEO RECORDING AND PHOTOGRAPHY AT CPDP 2022

Is CPDP watching you? Well...a bit. A professional photographer will be taking photos at the conference venues, including crowd shots, which will then be used for publicity. Please let us know during registration if you do not wish to be in these photographs. All panels will be filmed at the Conference venue and uploaded to the archive after the event.

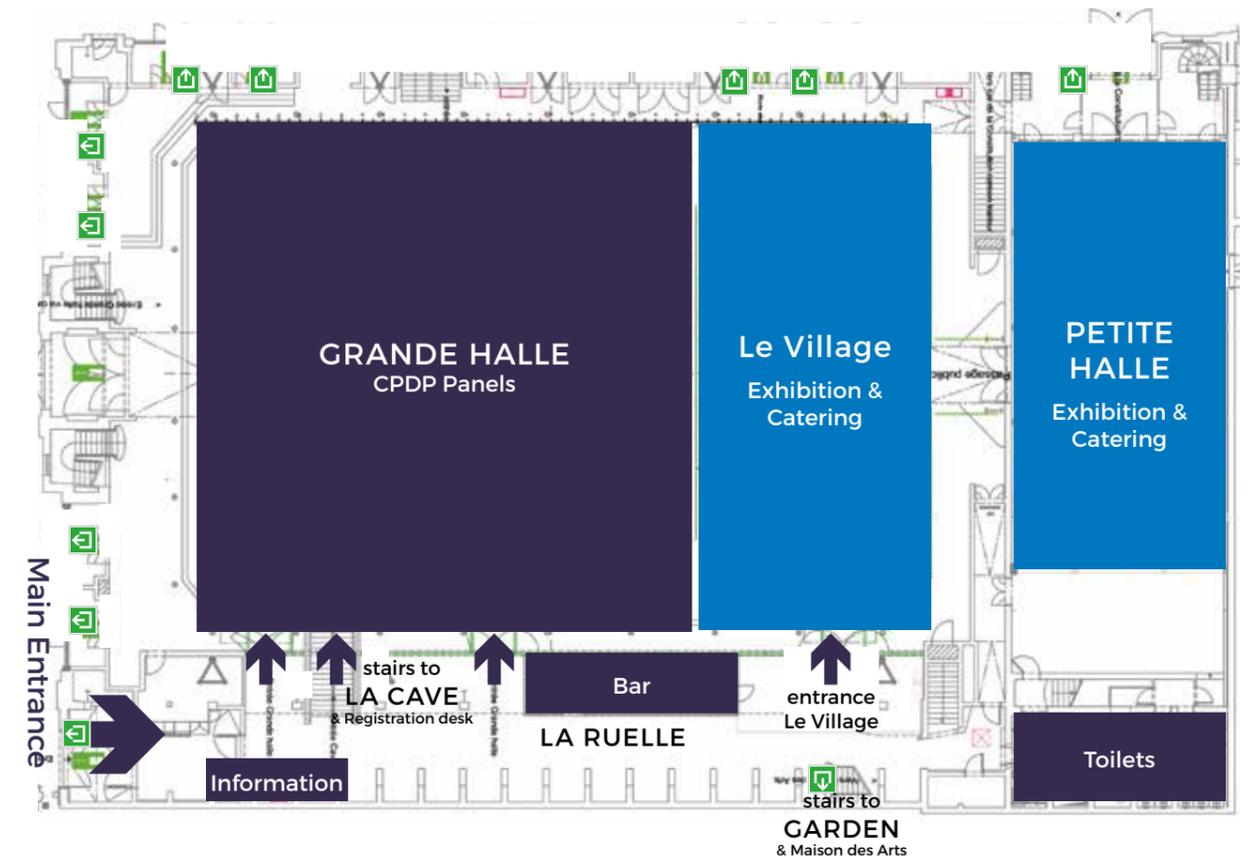
## TAXI

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

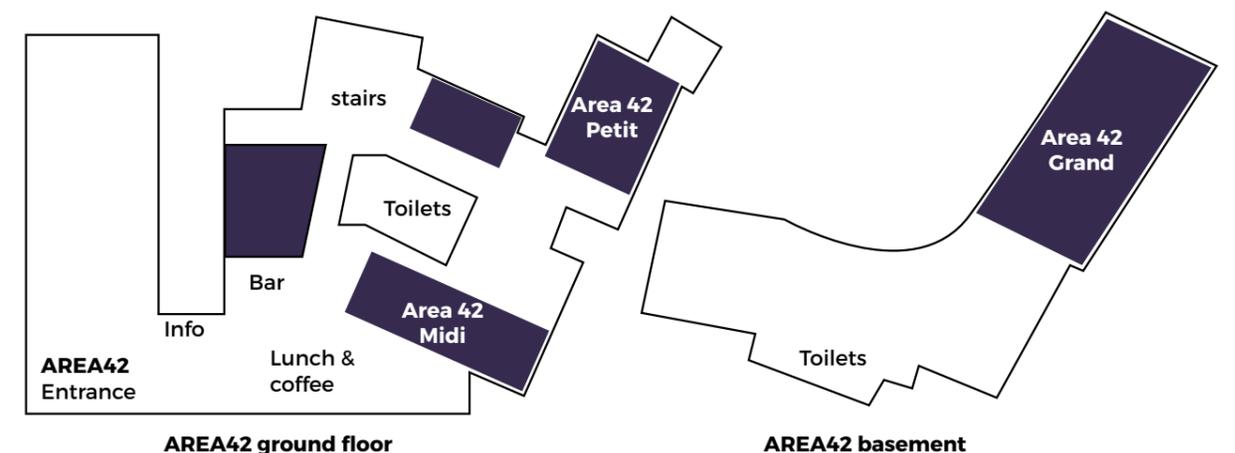
Please keep a close eye on email updates from us throughout the conference and contact the registration and information desks if you have questions. Our wonderful volunteers will also be at both venues to help find your way around the venues.

# LES HALLES



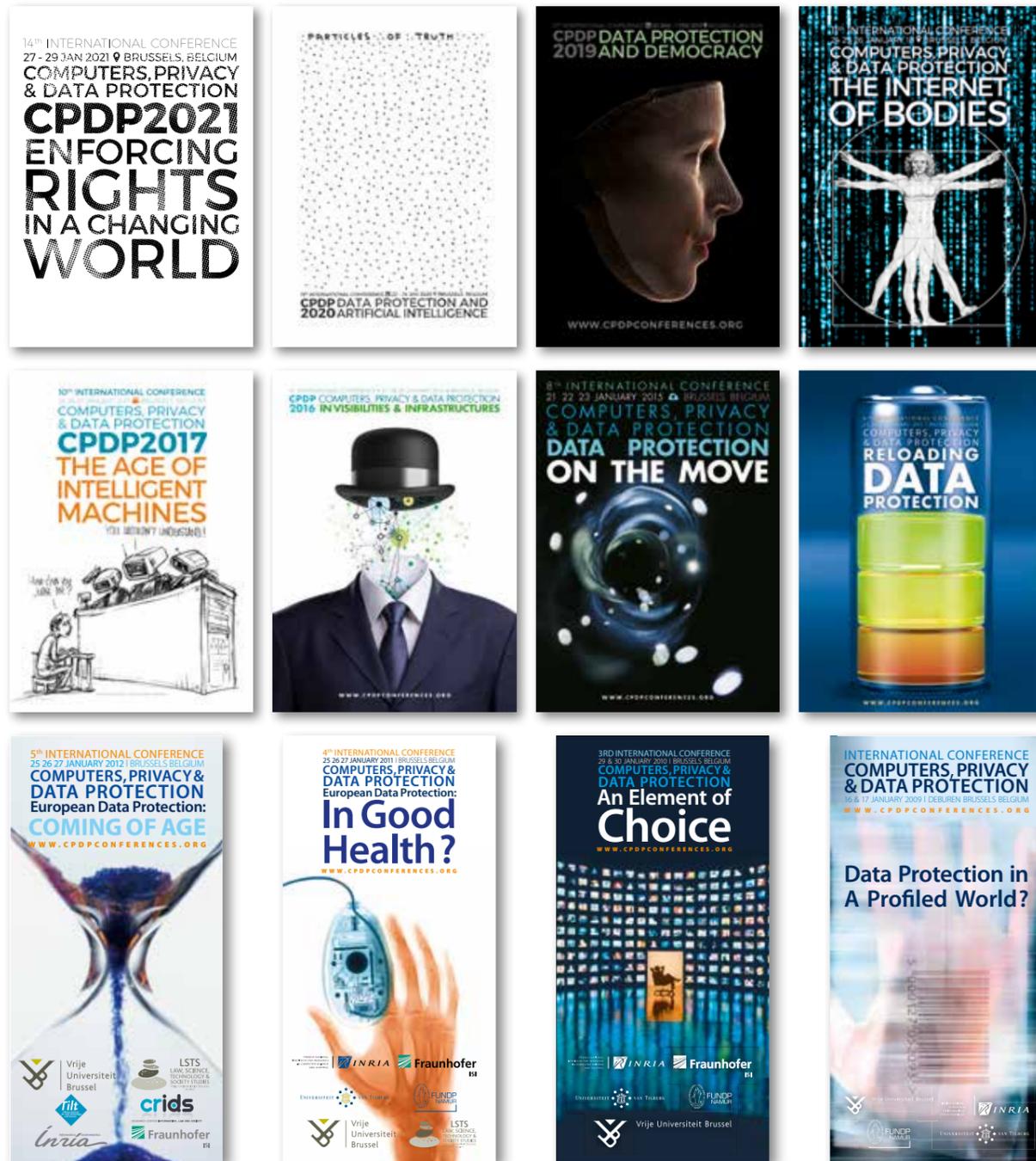
Les Halles, Rue Royale-Sainte-Marie 22, 1030 Brussels (www.halles.be)

# AREA 42



Area 42, Rue des Palais 46, 1030 Brussels (a 3-minute walk from les Halles de Schaerbeek)

## CPDP CONFERENCE BOOKS



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

- Dara Hallinan, Ronald Leenes, Paul de Hert, **Data Protection and Privacy, Volume 14, Enforcing Rights in a Changing World**, Oxford: Hart Publishing, 2021. (<https://www.bloomsbury.com/uk/data-protection-and-privacy-volume-14-9781509954513/>)
- Dara Hallinan, Ronald Leenes, Paul de Hert, **Data Protection and Privacy, Vol. 13, Data Protection and Artificial Intelligence**, Oxford: Hart Publishing, 2021. (<https://www.bloomsbury.com/uk/data-protection-and-privacy-volume-13-9781509941759/>)
- 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.bloomsbury.com/uk/data-protection-and-privacy-volume-12-9781509953530/>)
- 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.bloomsbury.com/uk/data-protection-and-privacy-volume-11-9781509926206/>)
- Leenes, R., Van Brakel, R., Gutwirth, S. and P. De Hert, **Data Protection and Privacy: Vol. 10, The Age of Intelligent Machines**, Oxford: Hart Publishing, 2017 (<https://www.bloomsbury.com/uk/data-protection-and-privacy-volume-10-9781509919345/>)
- 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/978-94-007-2902-5](http://www.springer.com/law/international/book/978-94-007-2902-5))
- 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/978-94-007-0640-8](http://www.springer.com/law/international/book/978-94-007-0640-8))
- 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

- **Brasserie De Groene Ezel / L'âne Vert** (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

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- **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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Justien Van Strydonck, Bram Visser, Ana Gagua, Tabea Wagner, Laura Bauer, Annette Monheim  
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24.5 GRANDE HALLE		LA CAVE [CPDP Global]
7.30	Registration <a href="#">in La Cave</a>	<b>CPDP Global</b> CPDP Global panels ongoing. Head to <a href="#">pages 33-37</a> for full line-up.
8.45	Convergence in Action: Regional and Global Cooperation Between Data Protection Authorities organised by <a href="#">European Commission</a> Page 30	
10.00	Coffee break	Coffee break
10.30	Global Governance of Privacy: Beyond Regulation organised by <a href="#">Apple</a> Page 30	Smart Borders? Artificial Intelligence at the EU Border organised by <a href="#">Karlsruhe Institute of Technology</a> Page 34
11.45	Leveraging AI: Risks & Innovation in Content Moderation by Social Media Platforms organised by <a href="#">Meta</a> Page 31	Privacy Preserving Advertising: Prospects and Paradigms organised by <a href="#">Mozilla</a> Page 34
13.00	Lunch	Lunch
14.15	Re-framing Data Use: Values, Norms, Institutions organised by <a href="#">The Ditchley Foundation</a> Page 31	<b>CPDP Global</b> CPDP Global is a new, online addition to this year's programme, spotlighting global developments in data protection and privacy. The online track is screened for the CPDP in-person audience at La Cave, where the on-line and offline audiences are able to interact. Head to <a href="#">pages 33-37</a> for the full line-up of CPDP Global panels, running from 7:30 till 21:15.
15.30	CNIL-Inria Privacy Award, EPIC Champion of Freedom Award	
16.00	Innovation in Cybersecurity - Accelerating Europe's Digital Transformation and Digital Resilience Through Stronger Partnerships organised by <a href="#">Google</a> Page 32	
17.15	Data Protection and High-tech Law Enforcement - the Role of the Law Enforcement Directive organised by <a href="#">EU Agency for Fundamental Rights (FRA)</a> Page 32	
18.30	Cocktail sponsored by EPIC in Le Village	

AREA 42 GRAND	AREA 42 MIDI	AREA 42 PETIT
Registration <a href="#">in La Cave</a>	Registration <a href="#">in La Cave</a>	Registration <a href="#">in La Cave</a>
See You in Court! - Discussing the Potential and Challenges of Judicial Actions for GDPR Infringements organised by <a href="#">LSTS and ALTEP DP</a> Page 37	UPLOAD_ERROR: Automated Decisions, Users' Right to Redress, and Access to Justice on Social Networks organised by <a href="#">Amsterdam Law &amp; Technology Institute, VU Amsterdam</a> Page 40	GoodBrother: Privacy, Corona-Virus, and Assisted Living Technologies organised by <a href="#">Cost Action 19121 'GoodBrother'</a> Page 43
Coffee break	Coffee break	Coffee break
Concrete and Workable Solutions to the GDPR Enforcement organised by <a href="#">NOYB</a> Page 37	Closed Session organised by <a href="#">CPDP</a>	Responsible IoT in Public Space - Who is Actually Responsible for What? organised by <a href="#">University of Twente / Project BRIDE</a> Page 43
Interdisciplinary Data Protection Enforcement in the Digital Economy organised by <a href="#">European Consumer Organisation (BEUC)</a> Page 38	Police: We Can't Stand Losing You - Fortnite Undercover Avatars Are Only the Beginning organised by <a href="#">EDEN</a> Page 40	Big Brother Out to Lunch organised by <a href="#">PROTEIN, H2020 project</a> Page 44
Lunch	Lunch	Lunch
Collectively Making It Work: (F)Laws of Individual Approaches to Resist Platform Power organised by <a href="#">IViR, University of Amsterdam</a> Page 38	Research and Best Practice to Address Socio-technical Risks in AI Systems organised by <a href="#">Microsoft</a> Page 41	Privacy Design, Dark Patterns, and Speculative Data Futures organised by <a href="#">SnT, University of Luxembourg</a> Page 44
Coffee break	Coffee break	Coffee break
Dark Patterns and Data-Driven Manipulation organised by <a href="#">Leiden University</a> Page 39	Data Protection Certification - International Perspective and Impact organised by <a href="#">Mandat International, International Cooperation Foundation</a> Page 41	EDPL Young Scholar Award organised by <a href="#">EDPL</a> Page 45
Mobility Data for the Common Good? On the EU Mobility Data Space and the Data Act organised by <a href="#">Future of Privacy Forum</a> Page 39	Data Protection as Privilege? Digitalisation, Vulnerability and Data Subject Rights organised by <a href="#">SPECTRE project</a> Page 42	Technology and Power in Times of Crisis organised by <a href="#">Global Data Justice project, Tilburg University</a> Page 45
Cocktail sponsored by EPIC in Le Village		

# WEDNESDAY 25<sup>TH</sup> MAY 2022

25.5 GRANDE HALLE		LA CAVE	
7.30	Registration <a href="#">in La Cave</a>	Registration <a href="#">in La Cave</a>	
8.45	Can Law Be Determinate in an Indeterminate World? organised by <a href="#">CDSL</a>  Page 46	Personal Data in Texts: Detection, Annotation and Governance organised by <a href="#">Université de Bourgogne Franche-Comté (UBFC)</a>  Page 48	
10.00	Coffee break	Coffee break	
10.30	Practical Legal Perspectives on International Transfers organised by <a href="#">CPDP</a>  Page 46	Digital Age of Consent: Looking for a New Paradigm organised by <a href="#">CEU San Pablo University - South EU Google Data Governance Chair</a>  Page 49	
11.45	International Transfers on the Ground organised by <a href="#">CPDP</a>  Page 47	Transitional (Legal) Times for R&D and R&I Sectors organised by <a href="#">VALKYRIES H2020 Project - LIDER Lab Scuola Sant'Anna - Ethical Legal Unit</a>  Page 49	
13.00	Lunch	Lunch	
14.15	Will the Digital Ever Be Non-binary? The Future of Trans (Data) Rights organised by <a href="#">CPDP</a>  Page 47	Role of Ethics Committees in the European Health Data Space organised by <a href="#">CPME – Standing Committee of European Doctors</a>  Page 50	
15.30	Coffee break	Coffee break	
16.00	Trust & Transparency in AI: Discussing How to Unpack the “Black Box” organised by <a href="#">Uber</a>  Page 47	Data Protection New Frontiers in BRICS Countries organised by <a href="#">Center for Technology and Society at FGV / CyberBRICS Project</a>  Page 50	
17.15	Why Privacy Matters and the Future of Data Protection Law organised by <a href="#">Cordell Institute, Washington University</a>  Page 48	Synthetic Data Meet the GDPR: Opportunities and Challenges for Scientific Research and AI organised by <a href="#">University of Turin / UNITO</a>  Page 51	
18.30	Closing Remarks by <a href="#">Paul De Hert and Wojciech Wiewiórowski (EDPS)</a>	Closing Remarks <a href="#">in Grande Halle</a>	
19.00	Cocktail sponsored by Privacy Salon in Le Village		

AREA 42 GRAND	AREA 42 MIDI	AREA 42 PETIT
Registration <a href="#">in La Cave</a>	Registration <a href="#">in La Cave</a>	Registration <a href="#">in La Cave</a>
From Shareholder Value to Social Value organised by <a href="#">IEEE</a>  Page 51	PIMS Building the Next Generation Personal Data Platforms, A Human-Centric Approach organised by <a href="#">Internet Users Association</a>  Page 54	A Cybersecurity Incident: Who You Gonna Call? organised by <a href="#">Université du Luxembourg</a>  Page 57
Coffee break	Coffee break	Coffee break
Tackling Surveillance and Its Business Model Through Decentralisation - Discussing Infrastructure and Token Economics organised by <a href="#">Nym Technologies</a>  Page 52	Measuring Fundamental Rights Compliance Through Criminal Justice Statistics organised by <a href="#">MATIS project</a>  Page 55	Academic Session 1 organised by <a href="#">CPDP</a>  Page 57
Power over Data and Algorithms: Can We Get it Back? organised by <a href="#">Ada Lovelace Institute</a>  Page 52	Book Session: ‘Industry Unbound’ by Ari Waldman organised by <a href="#">CPDP and the Chair ‘Fundamental Rights and the Digital Transformation’ at VUB</a>  Page 55	Academic Session 2 organised by <a href="#">CPDP</a>  Page 58
Lunch	Lunch	Lunch
Is a European Data Strategy Without Trade-offs Between Economic Efficiency and Fundamental Rights Protection Possible? organised by <a href="#">Open Future Foundation</a>  Page 53	False Privacy in Sheep’s Clothing: Harmful Patterns in Recent “Privacy” Proposals organised by <a href="#">Brave</a>  Page 56	Limiting State Surveillance by Means of Constitutional Law: Potentials and Limitations organised by <a href="#">Fraunhofer ISI</a>  Page 58
Coffee break	Coffee break	Coffee break
Limits of Emergency Powers: Protecting Privacy in Exceptional Circumstances organised by <a href="#">EPIC</a>  Page 53	Justice 3.0: AI In and For Justice and Case-law as Big Data Challenges organised by <a href="#">Scuola Superiore Sant’Anna</a>  Page 56	Academic Session 3 organised by <a href="#">CPDP</a>  Page 59
When Privacy and Data Protection Rules, What and Who Loses Out? organised by <a href="#">Interdisciplinary Hub for Digitilisation and Society, Radboud University Nijmegen</a>  Page 54	Empowering the AI Act: Limits and Opportunities organised by <a href="#">Smart Global Governance / EDHEC Augmented Law Institute</a>  Page 56	Government Access to Data Held by the Private Sector: How Can Democracies Show the Way? organised by <a href="#">Georgia Institute of Technology, School of Cybersecurity and Privacy</a>  Page 59
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Cocktail sponsored by Privacy Salon in Le Village		

# MONDAY 23<sup>RD</sup> MAY 2022

07:30 - Registration in La Cave  
08.15 - Welcome coffee in Le Village

## CPDP2022 PANELS AT GRANDE HALLE

**08:30 - WELCOME AND INTRODUCTION BY PAUL DE HERT IN GRANDE HALLE**

**08:45 – THE FUTURE OF GLOBAL DATA FLOWS**

**Business**☆☆☆ **Policy**☆☆☆

**Organised by** International Association of Privacy Professionals (IAPP)

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

**Speakers** Hiroshi Miyashita, Chuo University (JP); Ralf Sauer, European Commission (EU); Joe Jones, UK Department for Digital, Culture, Media and Sport (UK); Katherine Harman-Stokes, U.S. Department of Justice (US)

In recent years, data protection laws have proliferated across the globe. While many of these laws take inspiration from the GDPR, each brings with it nuanced approaches to data protection and information transfer restrictions along with unique cultural norms and legal systems. China and Brazil have new data protection and transfer rules, India is soon to join them and the UK is considering modernizing its framework. Developing data transfer compliance programs has become organizations' top privacy challenge, kept outside counsel busy, and led policymakers to debate even the definition of data transfers themselves. Companies must adopt myriad country-specific transfer contracts to govern the crisscrossing data that fuels the global economy and informs our society. As data transfers transition from a transatlantic to a global challenge, is a more global approach possible?

- What will new global players in the field of data protection law mean for international transfers?
- How will the EU scale or shift its adequacy model?
- Will the US build on its APEC CBPR strategy as a potential multilateral alternative?
- Will the UK develop a meaningful new approach and what might that entail?

10:00 - COFFEE BREAK

**10:30 – THE FUTURE AT THE INTERSECTION OF KNOWLEDGE CREATION, RESEARCH, AND INDIVIDUAL SOVEREIGNTY**

**Academic**☆☆ **Business**☆☆☆ **Policy**☆☆☆

**Organised by** Interpublic Group

**Moderator** Alexander White, Privacy Commissioner of Bermuda (BM)

**Speakers** Sheila Colclasure, Interpublic Group (US); Brendan Van Alsenoy, European Data Protection Supervisor (EU); Hattie Davison, UK Department of Culture, Media, and Sport (UK); Martin Abrams, Duke University (US); Chris Foreman, Merck Sharp & Dohme (US)

The resolution of friction between personal sovereignty and the shared fruits of scientific and private research are a necessity as society accelerates into the digital age, one where observational technology enables connected marketplace, commerce, and government. This future will be heavily reliant on the utility of technology that observes and technology that algorithmically processes data that relates to people, things, and places, both for insight (knowledge discovery) and research (academic and commercial) and then make decisions lawfully based on that knowledge. This friction is very much in play in numerous legislative and regulatory proceedings. It has been exacerbated by the acceleration of observational technology. This session will discuss more nuanced approaches to fair governance of advanced analytics in an observational age.

- In an observational age, driven by algorithms, are there quick answers to what is framed as “surveillance capitalism”?
- Is a more nuanced approach that finds the equilibrium between knowledge discovery and individual sovereignty possible?

- Do we need a regulatory approach that measures risk based on the individual impactfulness of research and knowledge creation, versus the risks associated with decisions and actions?
- Does fairness require approaches that more evenly balance the full range of fundamental rights that come into play with knowledge creation?

**11:45 – ARE DEMOCRATIC INSTITUTIONS DOING ENOUGH TO PROTECT DEMOCRACY, FREEDOM AND PRIVACY FROM THE THREAT OF MONOPOLY POWER?**

**Academic**☆☆ **Business**☆☆ **Policy**☆☆☆☆

**Organised by** Open Markets Institute

**Moderator** Christian D’Cunha, DG Connect (EU)

**Speakers** Cristina Caffarra, Charles River Associates (IT); Barry Lynn, Open Markets Institute (US); Johnny Ryan, Irish Council for Civil Liberties (IE); René Repasi, MEP (EU)

Recent years have seen an acceleration in moves to regulate big tech, through privacy and competition rules and other new tools like attempts to contain ‘illegal online content’. In the meantime, the biggest companies seem to get yet more powerful, with their business models barely affected. This discussion will explore how restrictions and costs of getting to court, as well as underlying growing inequality, are holding back fundamental rights, and what can be done about it.

- Of what value are all these laws when the worst offenders seem able to leverage their lobbying and litigation resources to act with impunity?
- How can citizens overcome rules on ‘standing’ to contest decisions like on mergers that seem threaten civil liberties, democracy and free markets with ‘death by a thousand cuts’?
- Are our analytical tools legalistic and outdated?
- What can a democracy do to ensure equality before the law in the face of big tech?

13:00 - LUNCH

**14:15 – THE AI ACT: WHERE ARE WE, AND WHERE ARE WE GOING?**

**INTRODUCTORY SPEECH BY EUROPEAN COMMISSIONER FOR JUSTICE, DIDIER REYNDERS**

**Academic**☆☆ **Business**☆☆ **Policy**☆☆

**Organised by** CPDP

**Moderator** Omer Tene, Goodwin (US)

**Speakers** Gianclaudio Malgieri, EDHEC Business School (FR); Charles-Albert Helleputte, Steptoe (BE), Katarzyna Szymielewicz, EDRI (BE); Anna Moscibroda, DG Just (EU); Sylwia Giepmans-Stepien, Google (BE)

It seems there is currently no topic more discussed than AI. It also seems there is no EU legislative proposal more discussed than the AI Act. Since the initial proposal for the Act was released in the first half of 2021, countless articles, statements and opinions have been offered on its quality, prospects and likely impact. Some see the Act as offering a reasonable and balanced approach to a novel and uncertain technological development, others see that Act as flawed – for a number of different reasons. Against this background, this high-level panel brings together experts from a range of sectors, and with a range of perspectives, who will seek to explore the space of the AI Act and, in particular, will consider the following questions:

- What is the future of the AI Act, and on what timescale?
- What are the key problems with the Act, and how might they be resolved?
- How is the Act likely to change moving towards adoption, and what are the likely drivers of change?
- What will the impact of the Act be, in Europe, and elsewhere?

15:30 - COFFEE BREAK

## 16:00 – CALIBRATING THE AI ACT – IS IT THE RIGHT FRAMING TO PROTECT PERSONAL AND FUNDAMENTAL RIGHTS?

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** Microsoft

**Moderator** Jay Modrall, Norton Rose Fulbright LLP (BE)

**Speakers** Georg Borges, University Saarland (DE); Frederico Oliveira da Silva, BEUC - The European Consumer Organisation (EU); Alžbeta Krausová, Institute of State and Law of the Czech Academy of Sciences (CZ); Cornelia Kutterer, Microsoft (BE)

On 21 April 2021, the European Commission presented its proposal for a novel regulatory framework for AI. The proposal aims to chart the European path to trustworthy development and deployment of AI-driven products, services and systems. This panel will critically examine whether the foundation and structure of the AI Act - grounded in product safety legislation - can properly address risks to fundamental rights such as the right to human dignity, equality between women and men, freedom of assembly or the general principle of good administration.

- What is the rationale behind the AI Act's product safety approach?
- What are the potential benefits and shortcomings of that approach?
- Are there learnings from other legal domains that could be helpful (such as tort law or data protection)?
- Does the approach accommodate the socio-technical challenges of AI systems?

## 17:15 – REGULATION OF GLOBAL DATA FLOWS: A STORY OF THE IMPOSSIBLE?

**Business** ☆ **Policy** ☆☆☆☆☆

**Organised by** EDPS

**Moderator** Wojciech Wiewiórowski, European Data Protection Supervisor (EU)

**Speakers** Ulrich Kelber, Federal Commissioner for Data Protection and Freedom of Information (DE); Audrey Plonk, OECD (INT); Vera Jourová, Vice President of the European Commission for Values and Transparency (EU); Ana Brian Nourgrès, United Nations (INT); Graham Greenleaf, UNSW (AU)

This high-level panel will discuss the future of international transfers regulation, including the issue of surveillance (aka "government access to data") and the "data flows with trust" concept which appears to be gaining momentum since its introduction by Japan in the G7 context. Its objective would be to bring the EU data protection regulators' perspective in relation to a debate which so far takes place mainly in other fora (OECD, CoE, bilateral EU-US discussions) and to explore possible long-term solutions that could satisfy the high standards of the EU Charter of Fundamental Rights and the CJEU case law.

- What is the current state of play of post-GDPR adequacy reviews? As adequacy decisions are a long and time-consuming process, what expectations for facilitating data flows between the EU and the rest of the world can they realistically fulfil?
- Is there an inherent contradiction between "data sovereignty" and data localisation and the "push for the free flow of data in the digital world", both of which are simultaneously promoted by the EU in various contexts?
- What multilateral solutions could be envisaged and within what timeframe? What can we learn from other models of regulation of data flows?

## 18:30 – COCKTAIL SPONSORED BY EDPS

in Le Village

# CPDP2022 PANELS AT LA CAVE

## 08:45 – HOW TO RECONCILE FACIAL RECOGNITION TECHNOLOGIES WITH CONSUMERS' PRIVACY

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** International Enforcement Working Group – Office of the Privacy Commissioner of Canada

**Moderator** Michael Maguire, Office of the Privacy Commissioner (CA)

**Speakers** James Dipple-Johnstone, UK Information Commissioner's Office (UK); Daniel Leufer, Access Now (BE); Plamen Angelov, EDPS (EU); Quang-Minh Lepescheux, Microsoft (US); Joan S. Antokol, Park Legal LLC (US)

Owing to rapid technological innovations in biometric technology, including improvements to facial recognition (FRT) algorithms and the unprecedented availability of personal images, FRT is perceived as an easy and reliable biometric solution for identifying and authenticating individuals. The demand and temptation to deploy FRT solutions and services (hiring, policing, marketing, etc.) continues to grow all over the world, both in the private and public sectors. But, alas, every tech rose has its thorn and FRT is not an exception insofar as it constitutes a significant threat to individuals' privacy if deployed outside legal parameters.

In this session, the panellists will outline the state of play in the world through concrete examples of national/regional strategies, recent investigations (including Clearview AI), and regulations and policy orientations in relation to private and public sector uses of FRT. The panel will consider:

- What are the different uses of FRT in the public and private sectors?
- What are the challenges to adapt certain PDP principles to FRT?
- How to reconcile the benefits of FRT and individuals' privacy protection?
- What are the lessons learned from recent investigations on the use of FRT by private and public organisations?
- What are the different trends regarding regulating FRT?

## 10:00 - COFFEE BREAK

## 10:30 – GENETIC DATA: A CHALLENGE FOR THE EU DATA PROTECTION FRAMEWORK?

**Academic** ☆☆☆ **Policy** ☆☆☆

**Organised by** PANELFIT (UPV/EHU)

**Moderator** Regina Becker, University of Luxembourg (LU)

**Speakers** Lisa Diependaele, EU Commission (EU); Iñigo De Miguel, University of The Basque Country/Upv-Ehu (ES); Marta Tomassi, University of Trento (IT); Illaria Colussi, Bbmri-Eric (AT)

The EU data protection legal framework was built around the data subject. Normally, we assume that this is a single person. This is not always the case when we consider health data in general and genetic data in particular. As we all know, there are thousands of diseases that have a genetic component. This component is sometimes inheritable. This means that if we gain access to someone's genetic information, we can also know, or at least suspect, what the genetic endowment of his or her relatives may be. This information is therefore very relevant for all those involved. However, the GDPR is mainly built on the perspective of the individual. This perspective does not work so well with the type of issues that genetic information raise. This panel is comprised to analyse such issues from a multidisciplinary point of view:

- Could we consider that genetic data are personal data of different data subjects (not only the one who provided the biological sample)?
- Should other people's rights prevail against the sample donor's will not to share the data in some concrete circumstances?
- Are physicians allowed to break confidentiality if circumstances recommend it?
- Does the fact that the sample donor is dead make any difference on this framework?

## 11:45 – FUTURE OF AI POLICY

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** Center for AI and Digital Policy (US)

**Moderator** Merve Hickok, Alethicist.org (US)

**Speakers** Sarah Chander, EDRI (BE); Gregor Stojin, Committee on AI, Council of Europe (EU); Brando Benifei, European Parliament (EU); Doaa Abu-Elyounes, UNESCO Bioethics and Ethics of Science Section, Ecole Normale Supérieure ENS Paris (FR)

AI policy is moving forward quickly. More than 50 countries have endorsed the OECD AI Principles or the G20 AI Guidelines. 2021 saw the introduction of the EU AI Act, the adoption of UNESCO Recommendation on the Ethics of AI, and the Council of Europe's outline for an international treaty on AI, based on human rights, democracy, and the rule of law. Also, the U.N. human rights chief called for a moratorium on the use of AI techniques that poses a risk to human rights or fails to comply

with international human rights laws. But key questions remain about the prospects for “red lines,” the implementation of policy commitments, and the ongoing problem of bias across AI. Panellists will discuss:

- Countries have agreed on the need to prohibit social scoring, but there is still no consensus on the need to prohibit facial surveillance. What steps are necessary to achieve that goal?
- How does endorsement of principles by countries compare to their practices?
- What are the prospects for the EU AI Act?
- Which key AI policy developments should we expect in 2022?

### 13:00 - LUNCH

#### 14:15 – DATA PROTECTION ENGINEERING: WHAT IS THE ROAD AHEAD?

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

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

**Moderator** Prokopios Drogkaris, ENISA (EU)

**Speakers** Marit Hansen, Unabhängiges Landeszentrum für Datenschutz/ULD (DE); Armand Heslot, CNIL (FR); Kim Wuyts, KU Leuven, (BE); Gwendal Le Grand, European Data Protection Board EDPB (EU); Alex Li, Microsoft (US)

Data Protection Engineering, i.e., embedding data protection requirements into the information systems’ design and operation, has emerged over the last years, further to the legal obligation of data protection by design. Proper and timely inception, development and integration of technical and organizational measures into data processing activities play a big role in the practical implementation of different data protection principles. The aim of this panel will be to discuss the evolution of data protection engineering approaches, the current practices and discuss existing and emerging challenges.

- Has the evolution of technology and deployment models affected data protection engineering?
- How should data protection engineering be perceived within the context of emerging technologies?
- To what extent is it possible to create direct links between data protection engineering technologies and techniques and data protection principles?
- How can a data controller provide a certain level of assurance with regards to the data protection engineering approach followed?

### 15:30 - COFFEE BREAK

#### 16:00 – SCHREMS II: 18 MONTHS LATER: MUCH ADO ABOUT NOTHING OR A GAME CHANGER?

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** EDPS

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

**Speakers** Magdalena Cordero, European Court of Auditors (EU); Raluca Peica, Curia (EU); Peter Parycek, Fraunhofer FOKUS Institute (DE); Jan Albrecht, Minister for Energy, Agriculture, the Environment, Nature and Digitalization of Schleswig-Holstein (DE)

This panel will consider how the Schrems II judgment so far impacted international transfers in practice and discuss ongoing initiatives such as the “European cloud”, Gaia-X, and legal and technical questions of data sovereignty and data localisation. It aims to provide an overview of relevant developments during the past year as well as important ongoing initiatives, including in the area of enforcement.

- How effective has the EU been so far in applying and enforcing the CJEU Schrems II judgment?
- What kind of technical and organisational measures have organisations put in place to apply the Schrems II judgment and to ensure an adequate level of protection?
- Could the adhesion of non-EU cloud operators to sovereign projects, such as Gaia-X or to the approved EU-wide cloud codes of conduct, solve the Schrems II challenge?
- How can organisations in the EU avoid non-EU government surveillance in practice and are there any lessons to be learned in this respect from the UK adequacy decisions?

#### 17:15 – DIGITAL PLATFORMS, THE NEW PRIVACY CHAMPIONS? BETWEEN MYTHS AND REALITIES.

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** Computer Law and Security Review (UK)

**Moderator** Sophie Stalla-Bourdillon, University of Southampton (UK)

**Speakers** Joris Van Hoboken, Vrije Universiteit Brussels (BE); Inge Graef, Tilburg University (NL); Olivier Blazy, Ecole Polytechnique (FR); Martin Bieri, CNIL (FR); Mehwish Ansari, Article 19 (US)

Digital platforms are now penetrating almost all aspects of our lives. After having built immense walled gardens without conceiving privacy as a core design value, they are now making bolder privacy claims and implementing privacy enhancing technologies (PETs) in different settings. By way of example, Google and Apple have been developing local differentially private techniques for services such as web browsing and maps or federated learning techniques to reduce the processing of behavioral data for marketing purposes. Google and Apple have also partnered to create an exposure notification system in service of privacy-preserving contact tracing. In this panel, CLSR brings together lawyers, computer scientists and regulators to discuss the benefits and limits of a value-by-design approach and its instrumentalization by digital platforms, which are primarily focused upon strengthening their market and information powers.

- Are digital platforms at the forefront of privacy innovation?
- What do these PETs really achieve?
- How do/could digital platforms use these PETs to strengthen their market position & information power?
- What is the role of a supervisory authority in this context and what could be done to counter-balance excessive centralization of power in the hands of digital platforms?

#### 18:30 – COCKTAIL SPONSORED BY EDPS

in Le Village

## CPDP2022 PANELS AT AREA 42 GRAND

#### 08:45 – DATA PROTECTION AS CORPORATE SOCIAL RESPONSIBILITY

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

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

**Moderator** Paolo Balboni, ECPC, Maastricht University (NL)

**Speakers** Sophie Nerbonne, CNIL (FR); Stefano Fratta, Meta (SP); Sarah Bakir, Rabobank (NL); Massimo Marelli, ICRC (INT); Cosimo Monda, ECPC, Maastricht University (NL)

In our data-centric global economy, businesses need to consider privacy and data protection as assets rather than simply compliance obligations. It has already been demonstrated that a strategic and accurate approach to data protection can generate a significant return on investment (ROI). With a research project currently running at ECPC Maastricht University, a group of academics, businesses and data protection- and intergovernmental stakeholders, studies ways to trigger virtuous data protection competition between companies by creating an environment that identifies and promotes data protection as an asset, which can be used to help companies to responsibly further their economic targets. This can be accomplished through the development of a new dimension of data protection that goes beyond legal compliance, transforming data protection into a new form of Corporate Social Responsibility (Data Protection as a Corporate Social Responsibility, DPCSR). Concrete, measurable and translatable guidance for organisations are being developed in order to answer the following questions, which will be discussed in the panel:

- What are the fundamental requirements of socially responsible data processing activities?
- How can companies reconstruct Data Protection into an effective CSR framework?
- What are the benefits for companies that embrace data protection as a CSR?

### 10:00 - COFFEE BREAK

## 10:30 – GOVERNANCE AND REGULATION OF AI FROM THE PERSPECTIVE OF AUTONOMY AND PRIVACY

**Academic** ☆☆ **Business** ☆☆ **Policy** ☆☆

**Organised by** Campus Fryslân - Data Research Centre (DRC) (NL)

**Moderator** Andrej Zwitter, Campus Fryslân (NL)

**Speakers** Linnet Taylor, Tilburg Law School/TLS-TILT (NL); Elizabeth Coombs, Independent Consultant (AU); Vincent Bouatou, IDEMIA (FR); Oskar Gstrein, Campus Fryslân (NL)

The EU is the first 'global player' to propose a legal framework for the development and use of AI. The EU AI Act adds another layer of regulation for the governance of data infrastructures, which are also addressed by GDPR and other EU instruments. This panel discusses and considers the impact of this overhauled governance framework. The central question is whether the proposed AI governance framework is capable of comprehensively and effectively addressing concerns around privacy and autonomy which arise during the development and use of AI systems. The speakers share observations on gender and stigmatisation, group autonomy and abnormal justice, as well as security (Facial Recognition and Predictive Policing). These sectoral perspectives open a more holistic discussion on how much governance of AI is desirable/needed and whether the EU approach to AI governance will establish a global benchmark.

- How should AI governance address group interests, group privacy and abnormal justice?
- How can governance mechanisms mitigate automated stigmatisation and discrimination related to gender?
- What does the use of live facial recognition mean for 'public' space, and should police be allowed to test these biometric technologies in real settings?
- How will the design and deployment of predictive policing systems be affected by the EU AI Act?

## 11:45 – ASSESSING THE IMPACT ON FUNDAMENTAL RIGHTS IN AI APPLICATIONS

**Academic** ☆ **Business** ☆☆ **Policy** ☆☆☆

**Organised by** Politecnico Di Torino (IT)

**Moderator** Anna Buchta, European Data Protection Supervisor (EU)

**Speakers** David Wright, Trilateral Research (UK); Francesca Fanucci, The Conference of International Non-Governmental Organisations of The Council of Europe (INT); Alessandro Mantelero, Polytechnic University of Turin (IT); Cathrine Bloch Veiberg, Danish Institute for Human Rights (DK)

Digital innovation has reshaped society, benefiting it, but also raising critical issues. These issues have often been addressed by data protection laws, but recent applications of AI have shown a wider range of potentially affected interests. A broader approach focusing on the impact of AI on fundamental rights and freedoms is therefore emerging. Several provisions in the draft EU regulation on AI and in international and corporate documents push in this direction, but do not outline concrete methodologies for impact assessment. Moreover, existing HRIA models are not easily replicable in the AI context. This is despite the important role of such an assessment in relation to the risk thresholds in regulatory proposals. The panel will discuss how fundamental rights can be effectively put at the heart of AI development, providing concrete solutions for a rights-oriented development of AI.

- Are there different types of AI risk assessment and, if so, what are they?
- Who should be entrusted with conducting HRIAs, when and how?
- What are the key criteria that fundamental rights impact assessments need to fulfil to achieve the intended goals?
- How can the HRIA be operationalised in the context of AI by providing measurable thresholds for risk management and human rights due diligence?

## 13:00 - LUNCH

## 14:15 – EU CLOUD CODE OF CONDUCT: 1 YEAR ANNIVERSARY - OPERATIONALISING GDPR COMPLIANCE

**Academic** ☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** Workday

**Moderator** Frank Ingenrieth, SCOPE Europe (BE)

**Speakers** Barbara Cosgrove, Workday (US); Carmen Schmidt, Volkswagen (DE); David Stevens, APD-GBA (Belgian Data Protection Authority) (BE); Witte Wijsmuller, DG CNECT (EU)

Nowadays, businesses are faced with an increasingly complex privacy landscape. In particular, those companies involved in international data transfers find themselves in need for more clarity and transparency of rules. Codes of conduct as co-regulatory instruments not only have an ability to react quickly to a fast-past environment that is the current reality but also have a potential to harmonize privacy practices globally. An example of a cloud of conduct that was designed to meet these objectives is the EU Cloud Code of Conduct – the first legally operating code of conduct under art. 40 of the GDPR. During this session the representatives of the regulators, academia, and businesses will discuss in detail how code of conducts support companies in their day-to-day compliance as well as explore the advantages of co-regulatory tools and their potential to address recent challenges with international data transfers.

- What are the advantages of co-regulatory instruments?
- How does the EU Cloud Code of Conduct support the day-to-day compliance of Cloud Service Providers?
- What is the Third Country Transfer Initiative and how can it help address some of the recent challenges with international data transfers?

## 15:30 - COFFEE BREAK

## 16:00 – GDPR CERTIFICATION SCHEMES: GENERAL VS. SPECIFIC SCHEMES – WHAT DO EFFECTIVE SCHEMES LOOK LIKE?

**Academic** ☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** Alexander Von Humboldt Institute for Internet and Society (DE)

**Moderator** Eric Lachaud, Privacy Consultant (FR)

**Speakers** Max Von Grafenstein, Alexander Von Humboldt Institute for Internet and Society (DE); Jana Krahfurst, Usercentrix (DE); Chris Taylor, ICO (UK); Sebastian Meissner, EuroPriSe Certification Authority (DE)

The EDPB has recently published its Addendum to Guidelines 1/2018 on certification and identifying certification criteria per Articles 42 and 43 GDPR and, on this basis, conducted a public consultation process. One key question has been how a scheme must specify the GDPR-provisions with respect to a predefined processing operation. Promoters of general schemes argue that general schemes are more flexible and cost-saving. To the contrary, promoters of specific schemes argue that specific schemes are actually more cost-saving and, above all, are the only way to effectively increase transparency and an EU-wide consistent application of the GDPR. The proposed panel gives an overview of the certification schemes approved so far by Data Protection Authorities or the EDPB and evaluates them against the regulatory objectives of Articles 42 and 43 GDPR.

- What are the regulatory objectives of Articles 42 and 43 GDPR?
- What are the pros and cons of general and specific certification schemes?
- What schemes have been approved by data protection authorities/EDPB so far?
- How far do these certification schemes meet the regulatory objectives?

## 17:15 – THE AI ACT AND THE CONTEXT OF EMPLOYMENT

**Academic** ☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** European Trade Union Institute (EU)

**Moderator** Gabriela Zanfir-Fortuna, Future of Privacy Forum (US)

**Speakers** Aida Ponce del Castillo, ETUI (BE); Diego Naranjo, EDRI (BE), Paul Nemitz, European Commission (EU), Simon Hania, Uber (NL)

The EC's AI Act proposes a regulatory approach to the use of AI systems. It does not address the specificities of employment and the protection of fundamental and workers' rights. In its current version, it is not designed to deal with the privacy and data protection risks of AI, but to promote the growth of a European AI sector, in line with the EC's oftentimes stated ambition to make the EU a global AI leader. Civil society actors, MEPs and the EDPS have asked the EC to ban remote biometric identification technologies in public spaces. Others, in particular the labour movement, are concerned about the abuse of surveillance technologies in the workplace. How to balance promoting AI and protecting people's rights? This and other essential questions such as -absence of redress mechanisms, liability, governance - will be addressed in this panel discussion.

- Can the AI Act address the specificity of AI uses in employment, including platform work?
- How to balance promoting AI and protecting people's rights?
- Can the AI Act clearly ban both mass surveillance and worker surveillance?
- How can GDPR be effectively implemented in the context of employment?

## CPDP2022 PANELS AT AREA 42 MIDI

### 08:45 – DATA PROTECTION REGULATION POST-COVID: THE CURRENT LANDSCAPE OF DISCUSSIONS IN EUROPE, THE US, INDIA AND BRAZIL

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** Data Privacy Brasil Research Association (BR)

**Moderator** Bruno Bioni, Data Privacy Brasil Research Association (BR)

**Speakers** Teki Akuette Falconer, Africa Digital Rights Hub (GH); Gabriela Zanfir-Fortuna, Future of Privacy Forum (US); Malavika Raghavan, Daksha Fellowship/Future of Privacy Forum (IN); Isabelle Vereecken, European Data Protection Board (EDPB) (EU)

Approaches to data protection (or privacy) regulation vary widely, with differences that can be challenging to navigate and pose the question of how to attain minimal regulatory convergence. At the same time, rapid changes, that have been intensified by the emergence of COVID-19, spark other concerns, related to the very ability of data protection legislation to tackle issues such as discriminatory profiling, for example. These are some of the elements of an effervescent scenario that will benefit from a panel with different sectoral and regional perspectives, distributed between Global North and South - namely from the US, the EU, Brazil and India.

The motto of the session is: how have the legal, technological and societal changes precipitated by COVID-19 impacted discussions about data protection regulation around the world?

- Considering contexts, legal systems and regulatory stages in each different country/region represented in the panel, what is the main challenge each one currently faces in safeguarding privacy and data protection?
- Regulatory convergence does not mean replication, but rather synergy. To what extent do particular characteristics of the regulatory environment of each country/region play a role in the choices and possibilities of regulation and enforcement?
- Between government regulation and industry self-regulation there is co-regulation, an approach that is explicitly endorsed by GDPR, as well as the Brazilian General Data Protection Law. Considering the ongoing regulatory discussions in other places such as the US and India, is it possible to say that the latest generations of data protection laws converge to a co-regulation model?
- As technology advances, the notion that traditional data protection regulation is not capable of adequately dealing with some of its challenges is reflected in the introduction of more specific legislation and standards, such as in the field of A.I. What is the current status of this movement in each different country/region and how do all of these different approaches relate in seeking greater protection for individuals and groups?

### 10:00 - COFFEE BREAK

### 10:30 – DPAs IN THE COVID-19 PANDEMIC

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** CPDP

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

**Speakers** Charles Raab, University of Edinburgh (UK); Orsolya Reich, Civil Liberties Union for Europe (DE); Hielke Hijmans, Data Protection Authority (BE); Sjaak Nouwt, Royal Dutch Medical Association (NL)

During the COVID-19 pandemic, contact-tracing, data sharing, de-anonymisation and re-identification, and the collection of personal data for testing and tracing (e.g., by bars and restaurants) became the widespread practice of governments, health authorities, and commercial enterprises. DPAs' statutory role as advisers and supervisors regarding these information practices was put to the test. The panel will explore the relations during the pandemic between DPAs and government and scientific/medical advisers, health services, and the conflict between the public interest in data protection and the public interest in health. It will examine whether DPAs could exert their authority as inevitable actors in decision-making concerning the processing of personal data, whether they pressed for the use of Privacy-enhancing or Privacy-by-Design technologies in pandemic control strategies, and whether they have had a say in arbitrating the relationship between information rights and emergency measures.

- Have DPAs been involved in COVID-19 related decision-making?
- Have they been under pressure not to interfere with government and public health solutions?
- If so, how have they responded to this challenge?
- Did data subjects turn to DPAs in COVID-19 related cases?

### 11:45 – DATA PROTECTION CONCERNS IN THE AML/CFT FRAMEWORK

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆

**Organised by** Tilburg Institute for Law, Technology, and Society (TILT) (NL) and Digital Legal Studies (DLS)

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

**Speakers** Eleni Kosta, Tilburg Institute for Law, Technology, and Society(TILT)Tilburg University (NL); Philip de Koster, FIU Belgium (BE); Lora von Ploetz, Commerzbank (DE); Benjamin Vogel Max Planck Institute for the Study of Crime, Security and Law (DE)

The Anti Money Laundering (AML) and Countering the Financing of Terrorism (CFT) framework entails the collection and exchange of information between customers, obliged entities, Financial Intelligence Units (FIUs) and law enforcement authorities, as well as intelligence services in some cases. Such exchanges usually encompass personal data, the protection of which needs to be respected. The need to align the AML/CFT requirements with the data protection ones is essential for the effective and legally compliant functioning of the AML/CFT framework.

- Under which conditions is the exchange of data between the various actors allowed?
- What are the rights of the data subjects when their personal data are processed for AML/CFT purposes?
- What safeguards need to be in place for the facilitation of transfers of data from the EU to third countries in the context of AML/CFT activities?
- What are the major data protection concerns that arise regarding the exchange of data in PPPs in the AML/CFT field?

### 13:00 - LUNCH

### 14:15 – SECONDARY USE OF PERSONAL DATA FOR (BIOMEDICAL) RESEARCH

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆

**Organised by** CiTiP, KU Leuven (BE)

**Moderator** Griet Verhenneman, CiTiP, KU Leuven (BE)

**Speakers** Véronique Cimina, EDPS (EU); Tamas Bereczky, Patvocates (DE); Teodora Lalova, CiTiP, KU Leuven (BE); Marina Markatou, One Trust (UK)

Biomedical research relies on the patients' participation and on the use and reuse of special categories of personal data, such as data concerning health. The fight against COVID-19 caused several official bodies to emphasise that the General Data Protection Regulation (GDPR) is not intended to hinder the secondary use of personal data for the purpose of scientific research. However, variation in national interpretation of the GDPR have led to a fragmented approach, which brings uncertainty for researchers and potentially stifles innovation. Questions remain as regards to the interplay of the GDPR with the intricate legal framework applicable to biomedical research. Moreover, several future legislative acts – such as the Data Governance Act and the European Health Data Space – despite their promise to foster the use and reuse of data, could all potentially present novel challenges as regard the protection and use of personal data.

- Individual autonomy versus public interest. Is it database ownership that spurs the discussion in the field of (biomedical) research? Are controversies triggered through the debate on patients' ownership of data?
- When personal data are re-used for scientific research, which safeguards are needed? Do these safeguards depend on the type of controller? Do you consider the same safeguards when the data are sensitive data, e.g. relating to health or genomic data?
- On the interplay of other legal frameworks with the GDPR we ask our speakers to zoom in on one specific framework and discuss the challenges and future considerations. Such frameworks could include the Clinical Trials Regulation, as well as the proposal for a Data Governance Act, and the future European Health Data Space regulation.

### 15:30 - COFFEE BREAK

## 16:00 – SHARING THE DIGITAL ME – A CONTEXTUAL INTEGRITY APPROACH FOR DISCUSSING GOVERNANCE OF HEALTH AND GENETIC DATA IN CYBERSPACE

**Academic** ☆☆☆ **Business** ☆ **Policy** ☆☆☆

**Organised by** Uppsala University (SE) and the CyberGovernance project (University of Oxford (UK), University of Oslo (NO), Uppsala University (SE), University of Iceland (IS), EURAC research)

**Moderator** Joseph Cannataci, UN Special Rapporteur on the Right to Privacy (MT)

**Speakers** Deborah Mascalonzi, Uppsala University (SE); Heidi Beate Bentzen, University of Oslo (NO); Mario Jendrossek, The EU Health Dataspace (EU); Christine Beitland, Microsoft Norway (NO)

The European Health Data Space is a step forward for the effective exploitation of Health Data, moving decisively from the concept of ‘open access’ towards ‘open science’. The strong push in the scientific community towards open science already made health and genetic data in research databases available for (re)use by diverse players but not in all the novel contexts where data are going to be used. The governance of Health Data in Cyberspace was scrutinized at different levels from different actors on the theoretical and empirical level. In this panel we will discuss governance directions for the use health-relevant data, looking at results from preference studies conducted with experts and the general public in 12 EEA countries. Results revealed divergences from the GDPR to be discussed with relevant experts. Those results can enrich the discussion for new approaches to governance of data, further conceptualized, in relation to unintended consequences, protection of fundamental rights and societal acceptability.

- What are studies on preferences for the use of health data showing to us?
- What are the elements to be taken into account to reconceptualize open access and open science (taking people preferences into account)?
- What role plays the contextual integrity framework to think governance further?
- Is data driven research taking the human rights framework into account?
- How can we account for responsible science and human rights approaches?

## 17:15 – MANIPULATIVE DESIGN PRACTICES ONLINE: POLICY SOLUTIONS FOR THE EU AND THE US

**Academic** ☆ **Business** ☆ **Policy** ☆☆☆

**Organised by** TACD (EU/US) and Norway Consumer Council (NO)

**Moderator** Anna Fielder, Transatlantic Consumer Dialogue (EU/US)

**Speakers** Finn Lützow-Holm Myrstad, Norway Consumer Council (NO); Commissioner Rebecca Slaughter, Federal Trade Commission (US); Kat Zhou, Design Ethically (SE); Kim van Sparrentak, Member of the European Parliament (EU)

Deceptive design practices, or ‘dark patterns’, are used to make consumers take actions against their own interests, to the benefit of companies. Common privacy-invasive dark patterns include hidden default settings that maximise data collection, ambiguous language designed to confuse, and consent flows that push toward certain choices. Such practices are particularly damaging in the context of the surveillance economy, when used by the large platforms to increase their market power. The harms caused by dark patterns are not distributed evenly and have a higher impact on people in vulnerable situations, those with low incomes, children, the elderly, or those with disabilities. Existing policies, such as the GDPR in the EU or US FTC’s section 5 regulations, are not fully equipped to deal with manipulative design practices at scale. However, legislative initiatives are taking place on both sides of the Atlantic.

- What are the drivers/business objectives of ‘dark patterns’?
- How can dark patterns impact individuals and society generally?
- What policy solutions are needed internationally to deal with such practices?
- Will (and how) AI technologies affect dark patterns in the future?

## 18:30 – COCKTAIL SPONSORED BY EDPS

in Le Village

## CPDP2022 PANELS AT AREA 42 PETITE

### 08:45 – PROTECTING THE RIGHTS AND ENSURING THE FUTURE OF GENERATION AI

**Organised by** AI4Belgium

**Moderator** Carl Mörch, FARI - AI For the Common Good Institute (ULB-VUB) (BE)

**Speakers** Eva Lievens, Faculty of Law & Criminology of Ghent University (BE); Liliana Carrillo, CollectiveUP, SP&CO (BE); Maud Stiernet, World Wide Web Consortium (W3C) (BE); Leyla Keyser, Bilgi university (TR); Klara Pigmans, Delft University of Technology, Consultant for UNICEF (NL)

Any child born today will be impacted by Artificial Intelligence. It is everywhere, from children’s video games to their classrooms, from their smartphones to their online social platforms. This can be positive, as teaching children about this technology could enable them to do incredible things with it. But there are also potential adverse effects. Intentionally or not, this technology can be used to their detriment, and put at risk their rights and interests - such as their privacy, autonomy and well-being. In this session, we would like to dive into the details of how to help ensure that children can enjoy the benefits of artificial intelligence, while ensuring that their human rights are protected. The panel will therefore focus on the specific risks associated with AI and children, but also on how we can properly empower them as members of the so-called “AI generation.”

- What are the major concerns when using AI in relation to children?
- Any child born now will be influenced by AI; how do we ensure that the deployment of AI takes into account the children’s fundamental rights?
- How could we guarantee that the rights and interests of children are prioritised (e.g. over commercial or other interests) when designing AI systems?
- What role does education play in protecting the rights of children? How can we improve AI literacy? What are the roles of parents and educators in this regard?

### 10:00 - COFFEE BREAK

### 10:30 – REGULATING AI IN HEALTH RESEARCH AND INNOVATION

**Academic** ☆☆☆ **Business** ☆ **Policy** ☆☆☆

**Organised by** Department of Innovation and Digitalisation in Law, University of Vienna (AT)

**Moderator** Tima Otu Anwana, University of Vienna (AT)

**Speakers** Max Königseder, MLL Meyerlustenberger Lachenal Froriep AG (CH); Richard Rak, University of Bologna (IT); Mariana Risetto, University of Vienna (AT); Elisabeth Steindl, University of Vienna (AT); Martin Urban, Boehringer Ingelheim (DE)

AI systems in healthcare can help diagnose disease, prevent outbreaks, discover treatments, tailor interventions and enable Internet of Health Things devices. However, the use of AI raises questions about the proper interpretation, application and interplay of EU regulations in force (GDPR, MDR/IVDR) and new legislative initiatives (AIA, European Health Data Space). The panel will debate critical data protection and AI governance challenges regarding the development and use of AI systems in health innovation and research. The speakers will discuss regulatory and governance affairs for AI-supported medical and consumer health devices, with a particular focus on mental health applications. In addition, the discussion will address consent mechanisms, anonymisation and related risk mitigation measures concerning the use of AI in healthcare and explore the possible implications of regulating AI in light of the foreseen European Health Data Space.

- What are the possible implications of the AIA for the innovation of Internet of Health Things devices and interconnected AI systems?
- Is implementing privacy by design and fostering privacy-enhancing technologies the better way to enable health research on the basis of consent?
- What are the concerns of using data-driven technologies in medical & consumer health devices intended to be used for mental health purposes?
- What are the legal challenges and risks concerning the anonymisation of health data and how to mitigate the risks associated with re-identification?

- Is the interplay between the AIA and the European Health Data Space initiative enough to establish a clear set of rules applicable to AI in health research?

### 11:45 – A SANDSTORM OR JUST A BREEZE? WHAT’S THE FUSS ABOUT SANDBOXES?

**Academic** ☆ **Business** ☆☆ **Policy** ☆☆☆

**Organised by** The Norwegian Data Protection Authority (Datatilsynet) (NO)

**Moderator** Bojana Bellamy, Centre for Information Policy Leadership (CIPL) (UK)

**Speakers** Kari Laumann, Norwegian Data Protection Authority (NO); Chris Taylor, ICO, (UK); Erlend Andreas Gjære, Secure Practice (NO); Dragos Tudorache, MEP (EU)

Artificial intelligence (AI) offers enormous potential for better, personalised and more efficient services. At the same time AI is data intensive and often challenges basic privacy principles. Can you have your cake and eat it too? This panel will explore the opportunities and limitations of sandboxes as a tool for fostering innovative and responsible AI solutions. The panelists include both regulators and sandbox participants who will share their experiences from the first data protection sandboxes in Europe. The panel will also discuss the role of sandboxes in the proposed AI Act.

- Are sandboxes the right tool to foster responsible innovation?
- Do sandboxes effectively help AI companies overcome regulatory barriers?
- What are the main learnings from the first round of data protection sandboxes in Europe?
- Will everyone have a sandbox in a few years? Are sandboxes the future when it comes to regulating algorithms?

### 13:00 - LUNCH

### 14:15 – THE RETURN OF PRIVACY? ‘SMART VIDEO SURVEILLANCE’ EVALUATING DATA PROTECTION IN THE LIGHT OF PRIVACY AND SURVEILLANCE

**Academic** ☆☆☆ **Policy** ☆☆

**Organised by** VUB Chair in Surveillance Studies (BE)

**Moderator** Rosamunde van Brakel, University of Tilburg/VUB (NL/BE)

**Speakers** Ola Svenonius, Swedish Defense College (SE); Bryce Newell, University of Oregon (US); Lilian Edwards, Newcastle Law School (UK); Fanny Coudert, EDPS (EU)

In 1995, a US philosopher Jeffrey Reiman warned for the risks to privacy posed by the then novel Intelligent Vehicle Highway System. In the same year in the UK, criminologist Clive Norris raised concerns about algorithmic surveillance in the form of emerging facial recognition and ANPR cameras. Almost thirty years later, that future is now a reality and the world is connected in unprecedented ways facilitated by the ubiquitous proliferation of ‘smart’ surveillance cameras. Efforts to address these concerns side-tracked the discussion to issues of data protection, an outcome at least in theory more easily measurable and enforceable. However, when looking at ‘smart’ video surveillance practices in Europe, it becomes clear that regardless of data protection regulation, these have proliferated also beyond security and crime prevention purposes (often in the context of smart cities) and are becoming normalized. It seems that ‘old-fashioned’ privacy and surveillance concerns have been replaced by narrow data protection compliance. Moreover, societal concerns of surveillance, such as social sorting and changing power relations have become even more pertinent with advancements of Big Data and AI, demanding a broader framework that can incorporate collective and societal harms.

In this regard, The VUB Chair in Surveillance Studies panel aims to discuss privacy and data protection in the context of smart video surveillance by asking the following questions:

- What are the main individual, collective and societal harms of smart video surveillance?
- Does data protection regulation undermine privacy and act as an enabler of smart video surveillance?
- Does the proposed AI regulation address ‘old-fashioned’ privacy and surveillance concerns of smart video surveillance?
- How can privacy and surveillance concerns regain importance in data protection policy?

### 15:30 - COFFEE BREAK

### 16:00 – ENCODING IDENTITIES: THE CASE OF COMMERCIAL DNA DATABASES

**Academic** ☆☆☆ **Business** ☆ **Policy** ☆☆

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

**Moderator** Alexandra Giannopoulou, Institute for Information Law (IViR) (NL)

**Speakers** Amade M’Charek, University of Amsterdam (NL); Rossana Ducato, University of Aberdeen (UK); Taner Kuru, University of Tilburg (NL); Ella Jakubowska, EDRI (BE)

This panel aims to enable an interdisciplinary discussion on the legal and normative aspects of digital identities operating on a global scale. We focus on the use of commercial genealogical DNA databanks stemming from –oft US-based- private companies for criminal investigations all over the world. Namely, we attend to the convergence between surveillance, forensics and direct to consumer DNA technologies. This case is particularly salient because it ties together the rapid rise, and intensive use of biometric identifiers, the commodification of digital identities, and the use of recreational identity services in criminal investigations. The objective in unravelling this practice of converging technologies and uses, is to problematize digital identities, to examine how they become something else when mobilized for different purposes on a planetary scale, and what the social and legal consequences thereof are.

- What are the legal, social, and institutional environments enabling the production of identities produced through commercial DNA services?
- How are the technologies enabling the creation of these dafied genomic profiles altering existing perceptions of citizenship and -ultimately- of identity?
- What are the implications of the convergence of different, formerly geographically, legally, normatively isolated systems, uses, and practices around (digital) identities?

### 17:15 – EFFECTIVE TRANSPARENCY AND CONTROL MEASURES (INCLUDING PRIVACY ICONS): THE EXAMPLE OF COOKIE BANNERS. WHERE DO WE STAND NOW?

**Academic** ☆☆ **Business** ☆☆ **Policy** ☆☆

**Organised by** Einstein Center Digital Future / Berlin University of the Arts (DE)

**Moderator** Max von Grafenstein, Einstein Center Digital Future/Berlin University of the Arts (DE)

**Speakers** Estelle Hary, CNIL (FR); AbdelKarim Mardini, Google (FR); Jana Krahforst, Usercentrix (DE); Nina Herbort, Berlin Data Protection Authority, European Data Protection Board (EDPB) Cookie Banner Task Force (DE)

Cookie consents with manipulative information and decision architectures are ubiquitous, at least perceived to be. The problem of such so-called dark patterns has long been recognised by regulators, studied by scientists and now also fought by data protection activists. But what are positive examples of particularly successful transparency and control measures? On what methodological basis can these be developed, and their effectiveness tested? And what is the current state of research and development of privacy icons that are considered part of the solution? The panel will provide an overview of examples from (law enforcement) practice and the current state of research as well as possible development paths.

- What are the most recent/prominent examples of good and bad transparency and control measures in practice?
- Which approaches exist in research to design and test good transparency and control measures?
- Which role do PIMS, CMP and browsers play in this context?
- What is the regulator’s point of view on this?

### 18:30 – COCKTAIL SPONSORED BY EDPS

in Le Village

07:30 - Registration in La Cave  
08.15 - Welcome coffee in Le Village

## CPDP2022 PANELS AT GRANDE HALLE

### 08:45 - CONVERGENCE IN ACTION: REGIONAL AND GLOBAL COOPERATION BETWEEN DATA PROTECTION AUTHORITIES

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** European Commission (EU)

**Moderator** Aissatou Sylla, Hogan Lovells (FR)

**Speakers** Waldemar Gonçalves Ortunho Junior, Data Protection National Authority (BR); Tamar Kaldani, CoE Consultative Committee of the Convention 108 & Former Data Protection Commissioner of Georgia (GE); Joaquín Pérez Catalán, Spanish Data Protection Agency (ES); Drudeisha Madhub, Data Protection Office of Mauritius (MU)

Data Protection Authorities - established and nascent - are increasingly engaging in cross-border cooperation. Regional and global networks are seen not only as providing opportunities to share knowledge, exchange best practices or enhance enforcement cooperation, but also as a means to foster convergence around high data protection standards. At the same time, new synergies are developing between these networks and international organisations such as the OECD, ASEAN, or the EU, whose work focusses increasingly on developing bridges between different privacy systems, to facilitate trusted data flows.

On this panel, regulators, and privacy specialists from across the globe will share their views on the benefits, challenges, and potential of cross-border cooperation between data protection authorities, including what citizens and business stand to gain from it. We will learn about the practical experience of authorities that have engaged in this type of cooperation and hear the expectations of recently established ones. We will also discuss new forms of cooperation at regional and global level.

- What are the benefits of cross-border cooperation between DPAs and what are the challenges to the (further) development of such cooperation?
- What can regional networks do to bring cooperation between DPAs to the next level? What are the success stories and missed opportunities for regional cooperation?
- How can national, regional and global frameworks interact better in order to foster convergence in privacy standards? Is cooperation between regional networks a realistic objective, in addition or as an alternative to bilateral cooperation?

10:00 - COFFEE BREAK

### 10:30 - GLOBAL GOVERNANCE OF PRIVACY: BEYOND REGULATION

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** Apple (US)

**Moderator** Jane Horvath, Apple (US)

**Speakers** Erik Neuenschwander, Apple (US); Alexander Hanff, Privacy Advocate (SE); Konstantin Böttinger, Fraunhofer AISEC (DE); Anna Buchta, European Data Protection Supervisor (EU); Lorenzo Dalla Corte, Tilburg University (NL)

Privacy has increasingly become front page news, featuring prominently in political and social debates and financial reporting. From the legislative side, this is driven by laws such as the GDPR (EU), CCPA (CA), LGPD (BR) and PIPL (CN). But privacy is also being shaped by industry itself and beyond local legal requirements, with industry-led privacy enhancing technologies enabling global privacy effects. Civil society has also played a pivotal role in privacy governance, where academics and activists exert influence on privacy regulation and business practices. More and more, multistakeholderism is shaping global perspectives of privacy and reframing roles in this space. The panel will seek to explore how privacy and privacy enhancing technologies are being realized through multistakeholderism and the pros and cons of this approach. Can technical solutions to privacy pave the way for high levels of privacy protection beyond jurisdictional borders? Should laws provide space or even incentives for privacy preserving innovation and, if so, how? Panellists will be asked to put forward their views on global

governance of privacy and whether privacy can and should be achieved through multistakeholderism and the limits therein.

- Can laws on their own achieve enhanced privacy for individuals?
- What are the areas for collaboration that can identify and achieve privacy paradigm shifts?
- How do we do so in a manner that enhances privacy without causing stakeholders to seek to block or water down those changes?
- What role will technology developments play and how can we harness those developments for good?

### 11:45 - LEVERAGING AI: RISKS & INNOVATION IN CONTENT MODERATION BY SOCIAL MEDIA PLATFORMS

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** Meta

**Moderator** Aleksandra Kuczerawy, KU Leuven (BE)

**Speakers** Nicola Aitken, Meta (IE); Eliska Pirkova, Access Now (BE); Guido Lobrano, ITI (BE); Eva Maydell, MEP (EU)

Businesses and organisations rely on AI to innovate, and increasingly rely on AI to protect the public interest. For social media platforms, AI can be a powerful tool for content moderation in order to keep users and the public safe, for instance by detecting and taking down violating content and accounts. At the same time, social media platforms need to preserve privacy, fairness, and freedom of expression. Content moderation does not come with a one-size fits all approach. Panelists will dive into how AI-based detection of illegal and harmful content works in different areas of harm, such as hate speech, child safety or illegal content. The panel will also discuss the risks and safeguards, transparency, control, privacy, fairness, and the role of human review and intervention. Some of the questions that will be addressed are:

- Which data is needed for AI to be effective in different areas of harm, such as hate speech, misinformation, or illegal content?
- What are the opportunities and risks of leveraging AI, and which challenges need to be addressed for AI to be effective and safe for content moderation?
- Which other industry use cases could leverage AI for content moderation?
- How can regulation optimise for effective and safe use of AI for content moderation?

13:00 - LUNCH

### 14:15 - RE-FRAMING DATA USE: VALUES, NORMS, INSTITUTIONS

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** The Ditchley Foundation (UK)

**Moderator** James Arroyo, The Ditchley Foundation (UK)

**Speakers** Julie Brill, Microsoft (US); Jan Philipp Albrecht, Minister for Energy, Agriculture, the Environment, Nature and Digitalisation of Schleswig-Holstein (DE); Bruno Gencaelli, European Commission (EU); Sir Julian King, Flint Global (UK)

This will be a panel discussion that reframes the central role of data to society and examines duty of care in an era where we need to enable responsible data use globally. For societies to flourish in the 21st century, government, civil society, and industry will need to invest in the appropriate use, maintenance and regulation of data while remaining committed to maximizing the societal benefit and protecting fundamental rights. The panel will examine current and future norms around the use of data globally and how policy, technical innovation and operational controls can protect the trusted free flow of data in health care, trade and government access while protecting privacy and human rights.

- What are current norms concerning the use of data globally?
- What are possible future norms concerning the use of data globally?
- How can policy appropriately protect the trusted free flow of data?
- How can technical and operational controls appropriately protect the trusted free flow of data?

15:30 - COFFEE BREAK & CNIL-INRIA PRIVACY AWARD, EPIC CHAMPION OF FREEDOM AWARD

## 16:00 – INNOVATION IN CYBERSECURITY - ACCELERATING EUROPE'S DIGITAL TRANSFORMATION AND DIGITAL RESILIENCE THROUGH STRONGER PARTNERSHIPS

Academic ☆☆ Business ☆☆ Policy ☆☆

Organised by Google

Moderator Chris Kubecka, HypaSec and Middle-East Institute (US/NL)

Speakers Tatyana Bolton, R Street Institute (US); Heli Tiirmaa-Klaar, Digital Society Institute, ESMT Berlin (DE); Philipp Amann, European Cybercrime Centre, Europol (EU); Wieland Holfelder, Google Cloud Security (DE)

How can we further strengthen collaboration in the field of cybersecurity to establish more effective public-private partnerships and collectively increase our digital resilience? The scale of the challenges that we face in cyberspace today is enormous, constantly evolving and too large for any one organization or country to tackle alone. Cybersecurity is a field that is strengthened by scale and through international collaboration. Developing a global model that forges partnerships around a common view of cyber-risk, coordinated incident detection and response, information sharing, innovation, capacity building and alignment on global rules and standards has never been more important. The panel will address how partnerships between industry, the public sector, civic society, academia and technical experts can be deepened to meet our shared cybersecurity challenges more effectively, moving also from a reactive to a proactive response. Examples will include the networked approach established by Europol.

- How can privacy by innovation and privacy-enhancing technologies like homomorphic encryption contribute to more cyber resilience and strengthen public-private collaboration?
- Is the focus on cybersecurity enough or do we need a more comprehensive digital resilience-approach?
- Information sharing is the current demand but what are the limits and challenges caught between privacy and law enforcement needs?
- How can we respond to threats in cyberspace more proactively?

## 17:15 – DATA PROTECTION AND HIGH-TECH LAW ENFORCEMENT – THE ROLE OF THE LAW ENFORCEMENT DIRECTIVE

Academic ☆☆ Business ☆ Policy ☆☆☆

Organised by EU Agency for Fundamental Rights (FRA) (EU)

Moderator Elise Lassus, FRA (EU)

Speakers Zoi Kardasiadou, DG JUST (EU); Griff Ferris, Fair Trials (UK); Juraj Sajfert, VUB (BE); Julia Ballaschk, Danish National Police, Center for Data Protection (CfD) (DK)

In 2022, the European Commission will deliver its first evaluation and review of the Law Enforcement Directive (LED). While adopted simultaneously to the General Data Protection Regulation (GDPR), this Directive did not – at the time – receive the same level of attention as the GDPR did. However, technology for law enforcement and surveillance purposes is increasingly being used, or considered for use, with limited awareness of the full scope of its potential impact on individuals' rights and freedoms. Moreover, the technologies available to law enforcement authorities are continuously diversifying, from predictive policing to the use of drones, facial recognition technologies, or smart cameras. This creates new challenges for law enforcement officers and rights defenders alike.

Focusing on the Law Enforcement Directive, this panel will provide an opportunity to reflect on the data protection legal framework applying to the use of technologies for law enforcement purposes, and its application to current challenges. Building on their professional experience and expertise, invited panellists - academics, policymakers and law enforcement officers - will discuss how the existing data protection legal framework applies to law enforcement with respect to the use of new technology, and whether this framework adequately ensures fundamental rights.

- What sort of new technologies are used for policing and what are the main issues and concerns raised?
- What are the specificities and challenges of applying data protection principles in the law enforcement context?
- To which extent can the principle of transparency be safeguarded, to make sure that individuals are aware of the use of technologies for law enforcement purposes, and have access to effective remedies when necessary?
- How are the legitimacy, necessity and proportionality of law enforcement technological tools assessed?
- Are current oversight mechanisms sufficient to protect individual's fundamental rights – and notably the right of access to effective remedies?

## 18:30 – COCKTAIL SPONSORED BY EPIC in Le Village

## CPDP2022 PANELS AT LA CAVE

CPDP Global is a new, full-day addition to the CPDP programme on Tuesday 24 May. It is designed to spotlight the latest developments and conversations on data protection, privacy, and technology from around the world. CPDP Global will be livestreamed and accessible online, so that those who cannot physically attend the conference can still connect with the CPDP community. The online track will also be screened for the CPDP in-person audience at La Cave. Both the on and off line audience will be able to interact.

## 07:30 – DATA PROTECTION FRIENDSHIP: THE EU AND JAPAN [CPDP GLOBAL]

Academic ☆☆ Business ☆☆ Policy ☆☆

Organised by Chuo University (JP)

Moderator Hiroshi Miyashita, Chuo University (JP)

Speakers Kazue Sako, Waseda University (JP); Naoko Murai, Journalist (JP); Hinako Sugiyama, Independent Consultant (US); Laura Drechsler, Vrije Universiteit Brussel (BE)

This panel will examine the recent data protection law reforms in Japan and consider the convergence between Japan and the EU. The 2019 adequacy decision for Japan was a success story for constructing privacy bridges between the EU and Japan. Furthermore, the Act on the Protection of Personal Information (APPI) was amended in 2020 and 2021, with major changes in its legal regime, with a GDPR influence. While the EU and Japan mutually declared their friendship regarding data protection in 2019, there are still unsettled and emerging issues. For instance, the EU adequacy decision covers the private commercial sector, in other words, there is no adequacy decision over the public sector for Japan. Japan also has been engaging with other partners such as the U.S. and the U.K. with new trade agreements, which may potentially impact algorithmic transparency and data subjects' rights. With regards to the AI regulation, Japan has not yet prepared its legally binding instruments – unlike the proposed AI regulation. Japan promotes Data Free Flow with Trust, whose trusted framework of data flow is under construction. If a convergence is a matter of degree, it is important to measure its closeness from a scientific perspective. The experts from Japan and Europe will give you their observations on EU-Japan data protection convergence.

- How successfully has the EU exported data protection values to the Far East?
- Does the trade agreement (e.g. Japan-US/ Japan-UK) dilute the solid EU-Japan mutual adequacy decision?
- What is the Japanese ambition of Data Free Flow with Trust (DFFT) initiative?
- How can we realise 'trusted' data flows and what is the Japanese approach of trusted web with verified data exchange?

## 08:45 – DATAFICATION AND PLATFORMISATION IN ASIA: DATA-RICH AND POLICY-POOR OR VICE VERSA? [CPDP GLOBAL]

Academic ☆☆ Business ☆☆ Policy ☆☆

Organised by Digital Asia Hub

Moderator Malavika Jayaram, Digital Asia Hub (HK)

Speakers Helani Galpaya, LIRNEasia (LK); Wanshu Cong, The University of Hong Kong Faculty of Law (HK); Nighat Dad, Digital Rights Foundation (PK); Rosa Kuo, Open Culture Foundation (TW)

Asia is a poster child for multiple imaginaries: a laboratory for beta testing surveillance practices; a sandbox for new governance approaches; a shiny futuristic universe of gadgets and super-apps; a backward region with extreme data poverty and digital illiteracy. Yet most narratives treat Asia as a monolith. This all-women panel goes deeper, unpacking the specific ways in which datafication and platformisation across Asia are both enabling and challenging, and their implications for rights, entitlements, and consumer welfare. Highlighting recent legal and policy developments (in China, Pakistan, Singapore, Sri Lanka and Taiwan), this session explores overarching themes of data and policy richness and poverty through multiple lenses – law, public policy, futures thinking, ICT research, and advocacy.

- What are the domestic and international drivers for new legislative approaches? How are consumer interests articulated and incentivised?
- How do women, youth and marginalised groups experience digital platforms differently?
- How do perceptions of surveillance and privacy help or hinder digital and civic participation?
- How does the state see its citizens and improve governance outcomes through data? Are privacy-preserving welfare programs unrealistic in emerging economies?

**10:30 – SMART BORDERS? ARTIFICIAL INTELLIGENCE AT THE EU BORDER****Academic** ☆☆☆ **Policy** ☆☆☆**Organised by** Karlsruhe Institute of Technology (DE)**Moderator** Franziska Boehm, Karlsruhe Institute of Technology/ FIZ Karlsruhe – Leibniz Institute for Information Infrastructures (DE)**Speakers** Niovi Vavoula, Queen Mary University of London (UK); Aleksandrs Cepilovs, eu-LISA – European Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (EU); David Reichel, FRA – European Agency for Fundamental Rights (EU); Paulina Jo Pesch, Karlsruhe Institute of Technology, research project INDIGO (DE)

Decision-making at the EU borders is supported by technological means. Especially Artificial Intelligence (AI) applications are increasingly explored and used at the EU border. Based on the processing of vast amounts of data such applications shall support border control and the identification of security risks. This raises concerns about fundamental rights and data protection. The panel sheds light on new technological trends in decision-making at the EU border such as models trained with Machine Learning (ML) for biometric identification and the assessments of security, migration or other risks. The panelists address practical problems and fundamental rights issues of the development and use of such technologies and discuss approaches to address the identified concerns and shortcomings of existing law and current practice.

- How can AI applications affect decision-making at EU borders?
- What are the benefits and risks of AI at the EU border? What are the main concerns for fundamental rights?
- Can we align fundamental rights and data protection?
- Do we need further regulation of AI in particular with regard to border policy? If yes, which instruments would be suitable and how should regulation look like?

**11:45 – PRIVACY PRESERVING ADVERTISING: PROSPECTS AND PARADIGMS****Academic** ☆ **Business** ☆☆☆ **Policy** ☆☆☆**Organised by** Mozilla**Moderator** Alexander Fanta, netzpolitik.org (AT, BE)**Speakers** Karolina Iwańska, Panoptykon Foundation (PL); Catherine Armitage, AWO (BE); Udbhav Tiwari, Mozilla (AU); Christian D’Cunha, European Data Protection Supervisor (EU)

The current state of the web is not sustainable, particularly in the context of how online advertising works. It is a hostile place for user privacy, and is effectively an arms race between browser anti-tracking technologies and trackers. It’s opaque by design, rife with fraud, and does not serve the vast majority of those which depend on it - from publishers, to advertisers, and of course, the people who use the open web. At the same time, there’s nothing inherently wrong with digital advertising. It supports a large section of services provided on the web and we believe it is here to stay. However, the ways in which advertising is conducted today - through pervasive tracking, serial privacy violations, market consolidation and lack of transparency - is not working and causes more harm than good. This panel discussion will combine insights from the technical, policy and digital rights landscape, with the goal of educating the audience at CPDP on the role that technical and operational solutions will play in the future of behavioural advertising. In doing so, it will provide guidance for policymakers and policy stakeholders on the realities that need to be accounted for in future regulatory frameworks that seek to restrict certain practices and create opportunities for a more sustainable growth of the Internet’s business model.

- What are some of the current industry practices that make behavioural advertising unsustainable from a privacy perspective?
- What are the efforts underway in the web ecosystem to let the current practices take place in a more privacy preserving manner?
- How do these industry efforts relate to the policy developments in the space, including recent moves calling for the ban of behavioural advertising?
- What can advertisers do to improve the health of the online advertising ecosystem?
- What is a way forward that allows the various stakeholders to achieve consensus on some of these issues and allow the web ecosystem to evolve for the better?

**14:15 – PERSONAL DATA PROTECTION IN AFRICA AND IN THE MIDDLE EAST: DEVELOPMENTS AND CHALLENGES POSED BY THE PANDEMIC [CPDP GLOBAL]****Academic** ☆☆ **Business** ☆☆☆ **Policy** ☆☆☆**Organised by** CPDP**Moderator** Lahoussine Aniss, Office of the Privacy Commissioner (CA)**Speakers** Marguerite Ouedraogo Bonane, Chairwoman of the DPA of Burkina Faso (BF); Sami Mohamed, Commissioner of Data Protection at Abu Dhabi Global Market (UAE); Mila Romanoff, United Nations Global Pulse (INT); Teki Akuetteh Falconer, Africa Digital Rights Hub (GH); Immaculate Kassait, Commissioner of the Kenyan Data Protection Authority (KE)

Several structuring data-driven projects, requiring massive collection and use of personal data have been initiated in Africa and in the Middle East. These projects are initiated either by national governments, as is the case in the UAE and Qatar, or by continental and international actors such as Smart Africa, the World Bank and the United Nations. A key success factor to the above-mentioned projects is the enactment and efficient enforcement of data protection frameworks that enable digital trust among controllers and data subjects. This panel aims, on the one hand, to shed the light on the development of privacy frameworks in Africa and in the Middle East and, on the other, to examine how DPAs (both established and nascent ones) and other stakeholders (NGOs and UN organizations) adopt these in order to strike the right balance between pressing demands for personal data and individuals’ privacy protection, especially when other rights (health, security, etc.) are also at stake.

- What is the current/foreseeable map of personal data protection frameworks in Africa and in the Middle East?
- What are the enablers and hurdles to the development of privacy protection in the region?
- Privacy protection is relatively a nascent concept in the region?
- How do DPAs manage to keep the pace with international development in this field, which are most of time driven by imported technologies?

**16:00 – CORPORATE COMPLIANCE WITH A CROSS CONTINENTAL FRAMEWORK: THE STATE OF GLOBAL PRIVACY IN 2022 [CPDP GLOBAL]****Business** ☆☆☆ **Policy** ☆☆☆**Organised by** CPDP**Moderator** Omer Tene, Goodwin (US)**Speakers** Merci King’ori, Future of Privacy Forum (KE); Renato Leite Monteiro, Twitter (BR); Barbara Li, Rui Bai Law (CN); Anna Zeiter, eBay (CH)

In 2022, it is no longer enough to know the latest privacy developments out of Europe or even the United States. Global businesses need to comply with an increasingly expanding scope of privacy and data protection laws, including the PIPL in China and LGPD in Brazil. India is contemplating its comprehensive data protection legislation, while African nations continue to adopt new laws. Even as new countries are joining the fray, numerous nations - including for example Australia, Canada, Israel and Singapore - are in the midst of reforming their data protection frameworks. In this session, experts from five continents discuss the challenges of complying with multiple laws, the additional friction caused by localization requirements and transfer restrictions, and strategies for staying ahead of the curve.

- How are businesses addressing a growing list of data protection law?
- Do localisation requirements and data transfer restrictions threaten the Internet and global trade?
- Emerging enforcement trends of new laws including in China and Brazil?
- How can we compare new frameworks to GDPR and CCPA?

## 17:15 – OPENING THE DATA OF MONEY: CHALLENGES AND OPPORTUNITIES FOR THE GLOBAL SOUTH [CPDP GLOBAL]

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** Open Knowledge Foundation

**Moderator** Guy Weress, Civil Society (HU)

**Speakers** Andrés Arauz, UNAM, México and Dollarisation Observatory (EC); Renata Avila, Open Knowledge Foundation (GT); Burcu Kilic, Minderoo Foundation (TR); Iness Ben Guirat, independent privacy activist (TN)

In the twenty-first century, most money is just data - accounting data. Therefore, the data of money and the information of money should not remain hidden from public scrutiny. The panel will discuss how to make the data of money open while preserving privacy and its relevance to open a new era of active citizens, understanding complex financial systems, and reclaiming global financial data as a commons. This is the point where the transparency and data community and geopolitics meet.

- In the twenty-first century, most money is just data - accounting data -. Therefore, the data of money and the information of money should not remain hidden from public scrutiny. Can we make the data of money “open”?
- The cross-border flow of data of money should become an open standard rather than the exclusive property of monopolistic providers. Is that possible today?
- Cross-border data should follow such a standard and, along with the data of money of national payment systems, should become public assets open to research communities and innovators. Is that possible?
- Which are the challenges to make the data of money more open?

## 18:30 – REGULATING AI AND PERSONAL DATA IN LATIN AMERICA [TILL 19:45 CET] [CPDP GLOBAL]

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** CPDP

**Moderator** Danilo Doneda, National Council for Privacy and Data Protection (BR)

**Speakers** Ana Brian, UN Special Rapporteur for Privacy (UY); Luca Belli, Center for Technology and Society at FGV Law School (BR); Olga Cavalli, SSIG (AR); Veridiana Alimonti, Electronic Frontier Foundation (BR)

In Latin America, after a boost on data protection regulation in the last decade, Artificial Intelligence studies and even regulatory initiatives are increasingly being proposed. Some countries have published or are considering their own AI strategies and the Brazilian Congress is considering a Bill for an AI regulatory Framework, which has already been voted by the Chamber of Deputies. This panel will explore the main regional initiatives on AI, their overlap with data protection, their intersection with human rights law, and the specific regulatory and technological approaches that are emerging and being proposed in the region.

- Latin American countries are studying how to regulate AI. What are the latest developments at the regional and national level?
- AI systems have been deployed at scale in Latin American countries by public and private players alike. Smart Cities initiatives, credit scoring, face recognitions are some of the most common examples. What is the role of data protection in how this initiative are framed?
- What are the key trends in Latin America regarding AI and personal data governance?

## 20:00 – INNOVATING DATA GOVERNANCE IN LATIN AMERICA [TILL 21:15 CET] [CPDP GLOBAL]

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** CPDP LatAm

**Moderator** Nicolo Zingales, FGV Law School (BR)

**Speakers** Fernanda Campagnucci, Open Knowledge Brazil (BR); Natalia Carfi, Open Government Partnership (AR); Renato Leite, Data Privacy Brazil/Twitter (BR); Carolina Rossini, Datasphere (US); Edison Tabra, Pontifical Catholic University of Peru (PE); María Lorena Florez, Universidad de los Andes (CO)

The importance of evidence-based policies is globally acknowledged and such evidence increasingly relies on the use of large (personal) data pools for policy planning. Public and private sector actors alike increasingly depend on personal data

processing to provide their services. For Latin America, the innovative use of personal data for policy planning plays a fundamental role to reduce inequalities. However, some core challenges persist, including how to implement innovative, secure, and legally interoperable data governance systems. This CPDP LatAm panel will explore some flagship initiatives and policies on data governance in Latin America.

- What data-driven responses have we seen to fight the pandemic in Latin America, and have they been effective?
- Are organisations in the region adopting appropriate risk-aware techniques for the disclosure of potentially identifying information?
- Can we identify common patterns amongst initiatives that facilitate effective use of data for policy-planning?

## CPDP2022 PANELS AT AREA 42 GRAND

### 08:45 – SEE YOU IN COURT! – DISCUSSING THE POTENTIAL AND CHALLENGES OF JUDICIAL ACTIONS FOR GDPR INFRINGEMENTS

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** Law, Science, Technology and Society (LSTS) Research Group, Articulating Law, Technology, Ethics & Politics Project (ALTEP DP) (BE)

**Moderator** Johnny Ryan, Irish Council for Civil Liberties/ Open Markets Institute (IE)

**Speakers** Alexia Pato, University of Girona (ES); Anton Ekker, Ekker Advocatuur (NL); Estelle Massé, AccessNow (BE); Michalina Nadolna Peeters, LSTS (VUB) (BE); Romain Robert, NOYB (AT)

The GDPR has been in force for nearly four years, but the challenges of enforcing it set it up to be a paper tiger. The one-stop-shop seems to benefit companies, underdelivering on the GDPR’s promise to give individuals back control of their personal data. NGOs and individuals start to turn to courts to enforce GDPR-conferred rights, including to compensation. Yet, the divergences between national laws of EU countries make private cross-border actions challenging. National laws may significantly differ as to the burden of proof, the notions of infringement and damage, causality as well as compensation. With no clear rules determining the applicable law there is a growing risk of fragmentation of individuals’ level of protection. The upcoming Collective Redress Directive holds a promise to offset some of the existing challenges and facilitate collective actions, yet comes with its own uncertainties.

- Why going to court might be more effective than going to a DPA?
- Can courts rectify the deficiencies of enforcement via DPAs?
- How do national divergences in substantive and procedural laws impact cross-border private actions?
- What are the specific challenges faced by NGOs when bringing cross-border private actions, and what are the recent private actions launched?
- What is the interlink between the Collective Redress Directive and the GDPR, and does it signal the advent of a new era for GDPR enforcement?

### 10:00 – COFFEE BREAK

### 10:30 – CONCRETE AND WORKABLE SOLUTIONS TO THE GDPR ENFORCEMENT

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** NOYB

**Moderator** Jennifer Baker, EU technology journalist (BE)

**Speakers** Nina Herbort, Berlin Supervisory Authority (DE); Gwendal Le Grand, EDPB (EU); Max Schrems, NOYB (EU); Lisette Mustert, University of Luxembourg (LU)

Europe is proud to have the most progressive privacy legislation in the world, however the lack of enforcement leads to legitimate frustration of users and small business. In order to unlock the full potential of the General Data Protection Regulation (GDPR) some of the persisting issues related to its enforcement by Europe’s Supervisory Authorities have to be fixed. The panel is aimed at understanding the underlying issues, as well as identifying concrete and workable solutions with key actors

representing a national supervisory authority, academia, and the European Data Protection Board (EDPB).

- What are the persisting issues in the area of the GDPR enforcement?
- Why do they occur?
- What solutions are there?
- What are the respective roles of the EU Supervisory Authorities, EU institutions, and civil society organisations?

## 11:45 – INTERDISCIPLINARY DATA PROTECTION ENFORCEMENT IN THE DIGITAL ECONOMY

**Academic** ☆☆☆☆ **Business** ☆☆☆☆ **Policy** ☆☆☆☆

**Organised by** The European Consumer Organisation (BEUC) (BE)

**Moderator** Ursula Pahl, BEUC (BE)

**Speakers** Cecilia Tisell, Swedish Consumer Protection Authority (SE); Isabelle Buscke, vzbv (DE); Hans Micklitz, European University Institute (EU); Tobias Judin, Norwegian Data Protection Authority (NO)

'Move fast and break things' has been the motto of some of the biggest tech companies. It can be largely debated what they have actually 'broken' but one thing is clear: the lines that separated various areas of law (e.g. competition, consumer protection, data protection) have been broken, or at least blurred. This creates many challenges. How can we effectively address practices which may infringe several legal instruments at the same time, in several jurisdictions, under the watch of several authorities? Bad actors seek to exploit the cracks and gaps in our system and often get away with little consequences for their actions. Whereas the gravity of those actions might sometimes seem limited when looking through a single lens, the picture quickly changes when we broaden our perspective. It is time for enforcers to move fast and break things too.

- How are existing EU enforcement structures in various areas cooperating with each other?
- How can we achieve effective interdisciplinary enforcement to tackle systemic issues undermining our rights and freedoms in the digital world?
- Is data protection the area that connects all the dots? What about consumer rights protection or competition?
- What role for private enforcement actions (e.g., via consumer and other civil society organisations) to drive change and ensure an interdisciplinary approach to enforcement?

## 13:00 - LUNCH

## 14:15 – COLLECTIVELY MAKING IT WORK: (F)LAWS OF INDIVIDUAL APPROACHES TO RESIST PLATFORM POWER

**Organised by** IViR, University of Amsterdam (NL)

**Moderator** Divij Joshi, University College London (UK)

**Speakers** Anton Ekker, Ekker Advocatuur (NL); Jill Toh, IViR, University of Amsterdam, (NL); Vanessa Barth, IG Metall, FairTube project (DE); Eike Gräf, European Commission (EU)

Existing approaches to regulating the political economy of data – and the power asymmetries they enable – fail to tackle many collective harms. The power and capital of tech companies is bolstered by the ways in which data-centric technologies intersect with labour. This has been increasingly evident in the context of gig work, whereby data and algorithmic management have been used to surveil, control and reorganise the workforce, resulting in tangible, systemic harms. While GDPR rights are increasingly used strategically to tackle these power asymmetries and render digital infrastructures more transparent, important questions remain as to their collective dimension. Moreover, recent policy developments aimed at addressing some of these unequal power dynamics rarely prioritise labour concerns and workers' perspectives. This panel will explore the challenges faced *and* raised by regulatory initiatives, looking at on-the-ground efforts to better engage with the collective.

- What is the problem with data protection law discourse focusing on the individual rather than the collective? What are the practical challenges that manifest due to this individualisation of rights?
- What can the labour perspective bring to a better engagement with collective rights in the regulatory and governance debates on data and technology?
- How do some of the on-the-ground efforts illustrate ways of collectivising and what role do data (transparency) rights play in these wider efforts?

- How can current legislative efforts regulating technology (companies) better address collective harms?

## 15:30 - COFFEE BREAK

## 16:00 – DARK PATTERNS AND DATA-DRIVEN MANIPULATION

**Academic** ☆☆☆☆ **Business** ☆☆☆☆ **Policy** ☆☆☆☆

**Organised by** Leiden University (NL)

**Moderator** Mark R. Leiser, eLaw, Leiden University (NL)

**Speakers** Mireille Caruana, University of Malta (MT); Catalina Goanta, Maastricht University (NL); EgeyIn Braun, European Commission (EU); Agustin Reyna, BEUC (BE)

Lawmakers and regulators are increasingly expressing concerns about the rise and use of manipulative design techniques implemented into user interfaces across web pages, social media networks, apps, and platforms that trick and deceive users into an action that they would not have taken without the manipulative design. Collectively these are referred to as 'dark patterns', a term coined as 'tricks used in websites and applications that make users do things that they did not mean to, like buying or signing up for something'. As dark patterns are deliberately designed to confound users or make it difficult or expensive for them to express their actual preferences, regulators in the United States and Europe have begun, not only raising their disapproval of, but introducing legislation to prevent their use and have even brought enforcement proceedings against major technology platforms accused of using dark patterns. This panel aims to discuss the role of consumer protection, in particular the Unfair Commercial Practices Directive and consumer protection enforcement for protecting users from all forms of data driven manipulation.

- Can consumer protection regulation mitigate the shortcomings of data protection law in dealing with dark patterns and data-driven manipulation?
- How can using evidence-led insights into how dark patterns manipulate behavior inform policy and rule makers?
- How will changes to the Unfair Commercial Practices Directive provide protection from dark patterns and data driven manipulation?
- Can consumer protection bridge the enforcement gap?

## 17:15 – MOBILITY DATA FOR THE COMMON GOOD? ON THE EU MOBILITY DATA SPACE AND THE DATA ACT

**Academic** ☆☆☆☆ **Business** ☆☆☆☆ **Policy** ☆☆☆☆

**Organised by** Future of Privacy Forum (FPF) (US)

**Moderator** Rob van Eijk, Future of Privacy Forum (NL)

**Speakers** Laura Cerrato, Centre d'Informatique pour la Région de Bruxelles (BE); Arjan Kapteijn, Autoriteit Persoonsgegevens (NL); Maria Rosaria Coduti, DG CNECT (BE); David Wagner, FÖV (German Research Institute for Public Administration) (DE)

Sharing mobility data for the common good needs careful assessment because context matters. To what extent can citizens benefit from mobility data without having to sacrifice their rights and freedoms? In this panel we will dive into the upcoming EU Mobility Data Space, which is one of the ten data spaces proposed by the European Commission. Furthermore, we will explore how the Data Act may tap the potential of horizontal (cross-sector) data sharing, while empowering citizens to make better decisions and protect their privacy.

- How can the upcoming Data Act and EU Mobility Data Space address cities' innovation and sustainability goals, while still safeguarding citizens' privacy?
- Are current frameworks, such as the Mobility Data Sharing Agreement, covering stakeholders' needs for legal certainty when sharing data for the common good?
- What are relevant use cases for privacy-preserving bolstered exchanges of data in this space?
- How to assess the cross-sharing of mobility data in context?
- Data minimisation concerns: can location data collected and shared by mobility service providers effectively be anonymised?

## 18:30 – COCKTAIL SPONSORED BY EPIC in Le Village

# CPDP2022 PANELS AT AREA 42 MIDI

## 08:45 – UPLOAD\_ERROR: AUTOMATED DECISIONS, USERS' RIGHT TO REDRESS, AND ACCESS TO JUSTICE ON SOCIAL NETWORKS

Academic ☆☆ Business ☆☆ Policy ☆☆

Organised by Amsterdam Law & Technology Institute, VU Amsterdam (NL)

Moderator Sarah Eskens, Amsterdam Law & Technology Institute, VU Amsterdam (NL)

Speakers David Martin Ruiz, BEUC (BE); Valentina Golunova, Maastricht University (NL); Andrea Baldrati, Privacy Network (IT); Silvia De Conca, Amsterdam Law & Technology Institute, VU Amsterdam (NL)

Social media continuously moderate content on their platforms. In doing so, they need to balance the freedom of expression rights of those who upload content with the interests of other individuals and groups to remove harmful content. Platforms like Facebook and Instagram currently mix automated and human decisions. Over- and under-inclusive interventions remain, however, a daily occurrence. Legitimate content is automatically taken down, harmful content sometimes remains online notwithstanding the reports of users. The GDPR provides a right not to be subject to automated decision-making but it is an open question if this right can provide redress with regard to content moderation. The new Digital Service Act introduces the right of redress for users. But what does it entail, and are there alternative solutions to explore? What are the limits of individual access to justice within privately owned online platforms?

- What is the role and what are the limitations of the redress tools against automated content moderation offered by the GDPR?
- What is the role and what are the limitations of the new right of redress introduced by the Digital Services Act against automated content moderation?
- Are there any alternatives to automated decisions implementing the T&S of a social media platform?
- Is there an "access to justice" right in the context of privately owned social media? What are its main elements?

## 10:00 - COFFEE BREAK

## 11:45 – POLICE: WE CAN'T STAND LOSING YOU - FORTNITE UNDERCOVER AVATARS ARE ONLY THE BEGINNING

Academic ☆ Business ☆☆ Policy ☆☆☆

Organised by EDEN

Moderator Jan Ellermann, Europol (EU)

Speakers Véronique Bechu, Central Unit for Minor Victims (FR); Isabelle Debré, Association L'Enfant Bleu (FR); Fabrice Plazolles, Havas Play (FR); Gregory Mounier, Europol (EU)

What do a blue-winged angel and an online game have in common? They manifest that the future is already here to stay. The panel focuses on how innovation can contribute to making our world a safer place. For the first time, Europol awarded the Europol Excellence Award in Innovation during the annual European Police Chiefs Convention 2021. With this award, Europol aims to put in the spotlight the law enforcement community's most innovative initiatives and operations.

The Fortnite undercover avatar was an innovative tool to fight child abuse online (French Police Nationale), a creative approach based on the development of an online avatar in the video game Fortnite to which children could report if they were sexually harassed at home. After validation from the Central Unit for Minors Protection within the Central Directorate of the Judiciary Police, a team of 50 volunteers and psychologists connected to the game 14 hours a day, seven days a week from April to May 2020 to assist children asking for help. During this period, 1 200 children asked for help, out of which thirty percent were in a dire situation. Investigations were opened in a number of cases, and the children safeguarded.

Véronique Bechu, Isabelle Debré and Fabrice Plazolles talk about how law enforcement, an NGO and a private company joined forces to make Fortnite a safer (cyber)space where children reported sexual abuse and other forms of serious crime. Gregory Mounier will contribute with insights from Europol's Innovation Lab and its mission is to help the European law enforcement community to make the most of emerging technologies by developing innovative solutions to improve the ways in which they investigate, track and disrupt terrorist and criminal organizations and keep European citizens safe.

- Which risks emerge considering the fact that minors expose more and more personal data online?
- How can online games help law enforcement protect minors from sexual abuse and other forms of crime?

- How will policing work in the Metaverse?
- How can law enforcement agencies, civil society and private industries collaborate to protect vulnerable groups and what are the data protection related challenges?

## 13:00 - LUNCH

## 14:15 – RESEARCH AND BEST PRACTICE TO ADDRESS SOCIO-TECHNICAL RISKS IN AI SYSTEMS

Academic ☆☆ Business ☆☆ Policy ☆☆

Organised by Microsoft (US)

Moderator Slavina Ancheva, European Parliament (EU)

Speakers Michael A. Madaio, Microsoft Research (US); S.N.R. (Stefan) Buijsman, TU Delft (NL); Colin van Noordt, Tallinn University of Technology (EE)

Research and best practices in addressing risks in AI systems have significantly progressed over the last years. This panel looks at the most challenging problems and advances in research to support fairness, accountability, transparency and equity in AI. The panel will also examine whether the AI Act's requirements for trustworthiness will be flexible enough to address these objectives, nuanced enough to tackle the diversity of AI systems and their specific risks as well as the pace of innovation.

- Are the requirements able to tackle the socio-technical challenges of AI systems?
- What are the criteria against which the AI Act requirements will be measured?
- Are outcome-based goals an alternative?
- How can AI deployers be supported in their fairness work in practice?
- How can stakeholders impacted by AI participate in designing fairer and more responsible AI?

## 15:30 - COFFEE BREAK

## 16:00 – DATA PROTECTION CERTIFICATION – INTERNATIONAL PERSPECTIVE AND IMPACT

Academic ☆ Business ☆☆ Policy ☆☆☆

Organised by Mandat International, International Cooperation Foundation (INT)

Moderator Luca Bolognini, Italian Institute for Privacy (IT)

Speakers Peter Kimpian, Council of Europe (INT); Fabrice Naftalski, EY Avocats (FR); Sébastien Ziegler, European Centre for Certification and Privacy (LU); Chiara Romano, Italian Data Protection Authority (IT); Marcel Vogel, Federal Data Protection and Information Commissioner (CH)

The GDPR makes over 70 references to data processing certification in line with its art. 42, including for cross-border data transfers (Art. 46). Similar certification mechanisms are embedded in other data protection regulations. This session will provide an overview of the latest developments in data protection certification in Europe and internationally. The session will start by introducing the recent evolution of data protection certification. The Swiss Supervisory Authority (FDPIC) will present the experience and perspective of data protection certification in Switzerland based on many years of experience. The Council of Europe (CoE) will provide a complementary perspective on data protection certification at the international level. The European Centre for Certification and Privacy (ECCP) will present and discuss some innovative models in certifying the compliance of data processing under the GDPR and other regulations. The session will conclude by a panel discussion on expectations, challenges and opportunities with regards to international and mutual recognition of such certification.

- What are the lessons learned and opportunities with data protection certification?
- What is the potential for international recognition of data protection certification?
- What are the differences between universal, specific, and hybrid certification mechanisms? What are their benefits and disadvantages?
- What challenges organisations face following the adoption of the GDPR?
- What are the current state-of-the-art certification solutions for certifying and demonstrating GDPR compliance?

## 17:15 – DATA PROTECTION AS PRIVILEGE? DIGITALISATION, VULNERABILITY AND DATA SUBJECT RIGHTS

**Academic** ☆☆☆ **Policy** ☆☆☆☆☆

**Organised by** SPECTRE project (BE)

**Moderator** Jonas Breuer, SPECTRE (VUB)(BE)

**Speakers** Yigit Aydinalp, European Sex Workers Rights Alliance (EU); James Farrar, Worker Info Exchange (UK); Stefania Milan, University of Amsterdam (NL); Paola Pierri, Democratic Society (EU)

Vulnerable individuals and communities are impacted by a lack of digital literacy and e-inclusion in today's digitalized societies, which idealise the "tech-savvy, independent, and uber-modern, able to produce digital data and analyze it to hold city government accountable" as Burns and Andrucki (2020) argue. This panel revisits vulnerability, zooming in on the impacts of digital technologies. It discusses how new forms of vulnerability are created, or existing ones exacerbated, in societies informed through technologically mediated networks and ICT. Data subject rights may be promising tools as they aim to empower individuals and counter power asymmetries. The panel therefore looks into whether regulatory frameworks (data protection, administrative law) are mature and apt enough to tackle the challenge of protecting the rights and interests of those who find themselves increasingly marginalized while others reap the benefits of digitalisation. In this regard, the panel aims to ask the following questions:

- What are vulnerable data subjects, and what is the interplay of new and old vulnerabilities with increasing digitalisation in our society?
- Can data protection law, and especially the data subjects' rights, help vulnerable individuals to improve their position in society/ avoid exploitation?
- Have they been used in practice to counter vulnerabilities though, or are they a privilege, mainly at the hands of tech-savvy elites? What other, more collective tools, exist to address digitalisation's adverse and uneven impacts on certain groups?
- Faced with many problems in the offline world (poverty, literacy, socio-demographic background, inequalities, disenfranchisement and so on), how can vulnerable individuals as well as their representative organisations understand the impacts of digitilisation and act upon them?

## 18:30 – COCKTAIL SPONSORED BY EPIC in Le Village

## CPDP2022 PANELS AT AREA 42 PETITE

## 08:45 – GOODBROTHER: PRIVACY, CORONAVIRUS, AND ASSISTED LIVING TECHNOLOGIES

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆

**Organised by** Cost Action 19121 'GoodBrother' (EU)

**Moderator** Liane Colonna, CA 19121 GoodBrother Member, Stockholm University (SE)

**Speakers** Carina Dantas, SHINE 2Europe/European Connected Health Alliance (PT); Birgit Morlion, European Commission (BE); Eduard Fosch-Villaronga, Leiden University (NL); Aleksandar Jevremovic, Singidunum University (RS)

More than 155 million people have recovered from Covid-19. However, the symptoms can last longer than expected. Remote patient monitoring with the use of speech and video technologies has proven to be an effective means to monitor the vital signs of frail people as well as healthy individuals who may be at risk of infection. The potential for wearable and wireless sensor technologies to reliably measure physiological parameters and habits of people appears to be great and likely to remain so even in the post-pandemic context.

On the other hand, since healthcare technology is increasingly integrated in private spheres and captures highly sensitive personal data, these developments may cause serious concerns about privacy and data protection. For this reason, a dialogue about the legal and ethical challenges in Active Assisted Living is necessary to develop widespread awareness on these topics.

- What are the ethical, legal, and privacy issues associated with audio- and video-based AAL technologies?
- What is the role of data protection law when it comes to safeguarding sensitive classes of data like race, age and gender collected by audio- and video-based sensors in the home?
- What privacy-by-design methodologies are available in order to protect the fundamental rights of those being monitored by audio- and video-based AAL technologies?
- How can we combine perspectives on privacy and data protection issues arising from the use of AAL technologies concerning healthcare automation?

## 10:00 - COFFEE BREAK

## 10:30 – RESPONSIBLE IoT IN PUBLIC SPACE - WHO IS ACTUALLY RESPONSIBLE FOR WHAT?

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** University of Twente / Project BRIDE (NL)

**Moderator** Sage Cammers-Goodwin, University of Twente (NL)

**Speakers** Michael Nagenborg, University of Twente (NL); Sanna Lehtinen, Aalto University (FI); Alec Shuldiner, Autodesk (US); Valda Beizitere, DG JUST (EU); Erik Valgaeren, Stibbe (BE)

Smart city projects often include the use of sensors in public urban spaces. Thus, users of these spaces hardly have an opportunity to opt-out of these systems. In our panel, we will discuss the responsibilities of public and private actors regarding the development, placement and use of such systems beyond GDPR compliance. We will especially focus on the interface between municipalities and local authorities on the one side and private tech companies on the other side. How can municipalities, e.g., steer and govern technological developments? Should and can cities act on behalf of citizens and other city users? Is it sufficient to inform and educate citizens about data collections in public spaces? Or do cities do more?

- How to inform the public about sensors in public space?
- What options do local authorities have to steer technology development and deployment?
- Is it sufficient if technology developers follow the existing frameworks?
- How much room should there be for local differences?

## 11:45 – BIG BROTHER OUT TO LUNCH

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** PROTEIN project (EU)

**Moderator** Eugenio Mantovani, VUB, LSTS (BE)

**Speakers** Tanja Schneider, University of St Gallen (CH); Maria Hassapidou, International Hellenic University and European Association for the Study of Obesity (GR/UK); Wolfgang Schmitt, European Consumer Organisation (BE); Olga Gkotsopoulou, VUB/HALL (BE)

Personalized nutrition technologies leverage on the collection and analysis of large volumes of data related to individuals' dietary behavioural patterns, physical activity and other parameters to provide generic and tailored nutrition, fitness and life-style advice. Till today there is no common definition as to what personalized nutrition entails. What there is agreement on is that it is a multifaceted concept of many levels and fragmented regulation. This panel discusses some of the impacts that such technologies have on private life. On one hand, the panel delves onto the concerns about the use of sensitive personal data, the surveillance one subjected to while eating, shopping for food, or doing sports, and the trustworthiness of applications marketed as well-being apps while impinging on health status. On the other, the panel draws attention to the blurred lines between lifestyle and health, health data and non-health data, medical and non-medical context - leading ultimately to questions of consumer safety, discrimination and stigma.

- How has our relationship to food and nutrition evolved over the years, both at an individual and a societal level?
- How 'personalised' is personalized nutrition in practice?
- What are the legal implications when widely available personalised nutrition products are consumed by the non-intended consumer or the non-intended consumer group?
- How does food law interact with data protection law?

## 13:00 - LUNCH

## 14:15 – PRIVACY DESIGN, DARK PATTERNS, AND SPECULATIVE DATA FUTURES

**Academic** ☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** SnT, University of Luxembourg (LU)

**Moderator** Cristiana Santos, University of Utrecht (NL)

**Speakers** Régis Chatellier, CNIL (FR); Stefano Leucci, EDPS (EU); Dusan Pavlovic, White Label Consultancy (NO/PL); Arianna Rossi, SnT, University of Luxembourg (LU); Cennydd Bowles, NowNext (UK)

Opposite forces harshly confront each other on the battlefield of digital services. On one side, privacy-invasive mechanisms like dark patterns pervert the fairness that should govern personal data use. Neither legislation nor slow-paced case law seems able to counteract the pervasiveness and impact of online manipulation.

On the other side, the harm caused by malicious designs is increasingly being exposed and a growing number of transparency-enhancing technologies is being created to support the rights of data subjects.

But we can only devise and implement overarching data protection by design if we become able to anticipate trends, explore the future implications of technology and guide its development towards desirable outcomes. In the end, which brighter worlds do we intend to design to ensure fair, transparent, human-centred use of personal data?

- How are businesses, academics and regulatory bodies currently mitigating dark patterns?
- What kind of transparency mechanisms should be further designed?
- How might we anticipate emerging trends to prevent risks and drive the development of data-driven services?
- How might law, human-centred design and foresight work together to breed trust in digital services and fight online manipulation?

## 15:30 - COFFEE BREAK

## 16:00 – EDPL YOUNG SCHOLAR AWARD

**Academic** ☆☆☆☆☆☆

**Organised by** EDPL Young Scholar Award

**Moderators** Bart van der Sloot, Tilburg University (NL), Wolfgang Andreae, Lexxion Publisher (DE)

Up-and-coming data protection researchers compete every year for the prestigious Young Scholars 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.

- Yannick Alexander Vogel, Università di Bologna (IT) - Stretching the Limit, The Functioning of the GDPR's Notion of Consent in the context of Data Intermediary Services
- Felix Zopf, Universität Wien (AT) - Two Worlds Colliding – The GDPR in Between Public and Private Law
- Brooke Razor, Faegre Drinker (UK) - Examining Obligations of EU States to Address the Gender Data Gap

The papers will be discussed with the selection jury of renowned experts: Gloria González Fuster, Vrije Universiteit Brussel (BE), Hielke Hijmans, Vrije Universiteit Brussel (BE), Alessandro Spina, European Commission, Franziska Boehm, FIZ Karlsruhe – Leibniz Institute for Information Infrastructures (DE).

At the end of the panel, the winner of the 6th EDPL Young Scholar Award will be revealed and receive the prize.

## 17:15 – TECHNOLOGY AND POWER IN TIMES OF CRISIS

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** Global Data Justice project, Tilburg University (NL)

**Moderator** Aaron Martin, TILT (NL)

**Speakers** Grace Mutung'u, CIPIT (KE); Mariana Rielli, Data Privacy, (BR); Frederike Kaltheuner, Human Rights Watch (US); Ian Brown, Fundacao Getulio Vargas (BR)

This panel will examine how new markets and opportunities opened up by the Covid-19 pandemic have shaped business strategies for technology firms in the EU and worldwide. Technology firms are increasing their markets in public health logistics (contact tracing, vaccine certification, information distribution), educational technology and many other areas thanks to the pandemic. Less visibly, there is huge growth in the market for ID and biometric technologies, bordering technologies and home-working surveillance applications. These shifts have been accompanied by decreased controls on competition and an increased tendency on the part of authorities to legitimise pandemic-related innovation even when it challenges established boundaries. The panel will discuss the implications of these power shifts for regulators and advocacy organisations, comparing different regional challenges and possible policy and regulatory responses in the areas of privacy, data protection, competition regulation and civil society action.

- How has the emergency of the pandemic reshaped markets for technology firms?
- What new challenges does the pandemic create for policymakers, regulators and advocacy organisations interested in digital justice and rights?
- Do pandemic-related shifts in technological power differ across regions?
- How should regulatory and civil society power balance these shifts in market share and commercial infrastructure?

## 18:30 – COCKTAIL SPONSORED BY EPIC in Le Village

07:30 - Registration in La Cave  
08.15 - Welcome coffee in Le Village

## CPDP2022 PANELS AT GRANDE HALLE

### 08:45 - CAN LAW BE DETERMINATE IN AN INDETERMINATE WORLD?

**Academic** ☆☆☆☆☆

**Organised by** CDSL

**Moderator** Vagelis Papakonstantinou, CDSL-VUB (BE)

**Speakers** Indra Spiecker gen. Döhmman, Goethe University (DE); Giovanni Sartor, EUI (IT); Sophie Stalla-Bourdillon, University of Southampton (UK); Dara Hallinan, FIZ Karlsruhe – Leibniz Institute for Information Infrastructures (DE)

Over the past decades, advances in information processing have produced societies of increasing complexity and indeterminacy – at least under some interpretations. Presuming a link between legal systems and the societies of which they are a part, we might presume that increases in social complexity and indeterminacy will also have an impact on legal systems – both on their substantive content and on the structures which provide and maintain this content. Further presuming that legal systems exist to provide a degree of certainty to the structuring of social relations, we arrive at a more concrete question: How can law remain determinate in an increasingly indeterminate world. This panel sets out with the ambitious task of providing some insight in relation to this question, and will consider issues such as:

- How might we understand the idea of indeterminacy?
- What are the pressures placed on legal systems by indeterminacy?
- What are the limitations in the ability of legal systems to respond to these pressures?
- Do we already see paradigms emerging in response to these pressures?

### 10:00 - COFFEE BREAK

### 10:30 - PRACTICAL PERSPECTIVES ON INTERNATIONAL TRANSFERS

**Business** ☆☆☆☆ **Policy** ☆☆

**Organised by** CPDP

**Moderator** Laura Linkomies, Privacy Laws and Business (UK)

**Speakers** Diletta De Cicco, Steptoe (BE); Ruth Boardman, Bird & Bird (UK); Laura Brodahl, Wilson Sonsini Goodrich & Rosati (BE); Ludmila Georgieva, Google (BE)

There remains considerable uncertainty as to how international transfers of personal data under the GDPR should be legitimated. Data controllers and processors in the EU are often left in a state of confusion as to whether, and how, they might engage in international transfers. Questions swirl concerning, for example, which approaches might be used in relation to which countries, as to the degree to which evaluations of national laws in third countries should be carried out, and as to how the situation may change in future. Against this background, this panel brings together practicing lawyers and policy professionals who deal with the legitimation of international transfers under the GDPR on a daily basis. Panelists will offer their perspectives on the current situation and will consider, amongst others, the following questions:

- What are the best ways to legitimate international transfers, and why?
- What novel approaches have come to the fore in dealing with international transfers over the past couple of years?
- How should lawyers and other professionals deal with the ongoing uncertainty surrounding the legitimation of international transfers?
- What can legal practice tell us about policy solutions moving forwards?

### 11:45 - INTERNATIONAL TRANSFERS ON THE GROUND

**Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** CPDP

**Moderator** Laura Drechsler, VUB (BE)

**Speakers** Eduardo Ustaran, Hogan Lovells (UK); Christian Brundell, Squire Patton Boggs (UK); Alan Butler, EPIC (US); Aaron Cooper, BSA | The Software Alliance (BE); Alisa Vekeman, DG Just (EU)

Following the previous panel, this panel continues the theme of the practical issues surrounding international transfers under the GDPR. This panel takes a broader perspective and considers the real-world impact of the law surrounding international transfers, and efforts on the ground to approach these issues. With this in mind, this panel brings together speakers from different sectors and with different perspectives. Panelists will consider, amongst others, the following questions:

- What are the different types of impacts - for example on companies and individuals - from current law on international transfers?
- What changes have recent developments in law - for example in Schrems II - produced on the ground?
- What steps are being taken, by practitioners, policy makers, etc. to tackle those changes?
- In light of the current situation, what needs to be done moving forward?

### 13:00 - LUNCH

### 14:15 - WILL THE DIGITAL EVER BE NON-BINARY? THE FUTURE OF TRANS (DATA) RIGHTS

**Academic** ☆☆☆ **Business** ☆ **Policy** ☆☆

**Organised by** CPDP

**Moderator** Gloria González Fuster, Law, Science, Technology & Society (LSTS), VUB (BE)

**Speakers** Jens Theilen, Helmut-Schmidt-University in Hamburg (DE); Alex Hanna, Distributed AI Research Institute (US); Kevin Guyan, School of Culture and Creative Arts at the University of Glasgow (UK); Kirstie English, University of Glasgow (UK)

In a world that increasingly recognises that gender cannot be understood as binary and immutable, technology and law appear to be still too often trapped in male/female classifications, leaving aside the rights, needs and concerns of those who are un- or mis-represented by such classifying canvas, and possibly harmed by it. And in a Europe lacking a consistent approach towards the recognition of gender identities, the debate on how to appropriately protect gender identifies online is far from being solved. This panel will discuss privacy and data protection rights of non-binary and trans individuals, but also deeply intertwined issues around data collection and (legal and technical) gender categorisation. Aiming at throwing light on how to best protect the digital rights of all, which necessarily requires taking seriously the digital rights of LGBTQ+ individuals, it will ask:

- How to protect better the data rights of non-binary and trans communities?
- Do we need less data, more data, and/or different data?
- Which role for law and which role for technology in this process of rethinking gender categorisation practices?
- And what can we learn for a better (data) protection of all, regardless of their gender?

### 15:30 - COFFEE BREAK

### 16:00 - TRUST & TRANSPARENCY IN AI: DISCUSSING HOW TO UNPACK THE “BLACK BOX”

**Academic** ☆☆☆ **Policy** ☆☆☆

**Organised by** Uber (US)

**Moderator** Simon Hania, Uber (NL)

**Speakers** Ivana Bartoletti, Women Leading in AI (IT/UK); Diana Calderon Medellin, DeliveryHero (DE); Guido Scorza, DPA (IT); Gabriele Mazzini, DG CNECT (EU)

The future of AI is here and already seamlessly integrated into a variety of sectors, from healthcare to transportation. Despite AI becoming more ubiquitous, surveys indicate that trust in AI continues to be low, especially among individuals in the U.S. and EU. Much of this seems to stem from fundamental misunderstanding about what artificial intelligence and machine learning are. However, improving transparency in AI on an ongoing basis can be a “moving target,” with hundreds of definitions and new findings that promote responsible AI development, deployment, and integration. Join us for a conversation about what meaningful transparency in AI practically looks like and how organisations should prepare for GDPR-like rules for AI governance.

- What does “transparency” mean in the context of AI, what are the target groups and why is it beneficial?
- Is there a need to understand in detail how AI works or rather the positive or negative effects it can produce based on its input?
- What obligations or incentives should be put in place, how, when and on whom?
- How can we effectively demonstrate and verify that obligations are fulfilled and incentives used?

## 17:15 – WHY PRIVACY MATTERS AND THE FUTURE OF DATA PROTECTION LAW

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** Cordell Institute, Washington University (US)

**Moderator** Helen X. Dixon, Data Protection Commissioner of Ireland (IR)

**Speakers** Frederik Zuiderveen Borgesius, Radboud University (NL); Natali Helberger, University of Amsterdam (NL); Mireille Hildebrandt, VUB (BE); Neil Richards, Washington University (US)

Data protection laws are currently spreading across the globe, but they are often proposed and enacted without much consideration of their definitions of privacy and the human values that they support. A complete consideration of “data protection and privacy in transitional times” requires us to reconsider why privacy and data protection rules exist, what values they serve, and what they should look like in the future. This panel brings together leading European and American academic and regulatory experts to ask these hard and essential questions of privacy and data protection law. Using the argument in Neil Richards’ recently published *Why Privacy Matters* (OUP 2022) as an initial starting point, the panel (and audience) will discuss the big questions of what privacy and data protection law is, what it is trying to achieve, and where it falls short.

- Why do privacy and data protection matter? What values do they serve?
- What is the relationship between privacy and data protection rules and identity formation, political freedom, and consumer protection?
- How should our understandings of privacy and data protection change as we confront new problems like public health emergencies, artificial intelligence, and pervasive data collection and computing?
- Is a shared understanding of what privacy is and why it matters possible across the different legal systems on both sides of the Atlantic?

## 18:30 – CLOSING REMARKS BY PAUL DE HERT (VUB) AND WOJCIECH WIEWIÓROWSKI (EPDS)

19:00 – COCKTAIL SPONSORED BY PRIVACY SALON in Le Village

# CPDP2022 PANELS AT LA CAVE

## 08:45 – PERSONAL DATA IN TEXTS: DETECTION, ANNOTATION AND GOVERNANCE

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆

**Organised by** Université de Bourgogne Franche-Comté (UBFC) (FR)

**Moderator** Iana Atanassova, Université de Bourgogne Franche-Comté (UBFC) (FR)

**Speakers** Thierry Bregnard, Haute École de Gestion Arc/HEG-Arc (CH); Walid El Abed, Global Data Excellence (CH); Sylviane Cardey, Université de Bourgogne Franche-Comté/UBFC (FR); Hitoshi Isahara, Otomon Gakuin University (JP)

The new GDPR regulation requires that any company must be able to prove that the personal data it holds are protected and, above all, unusable in case of theft. This has created a new need for automatic tools to identify and mask protected data, including in texts, in order to facilitate companies’ compliance with the legislation. The creation of such tools, that allow robust and versatile text processing to handle personal data, is still an important issue and requires the creation of specific semantic models for linguistic AI. This panel will outline the current landscape in the processing of personal data in texts, by providing the point of view of both researchers in Natural Language Processing (NLP) and actors of the private sector. It will also address the question of data governance related to personal data in texts.

- What are the real needs of business when it comes to personal data processing for GDPR compliance?
- What is the role of personal data governance for the creation of value?
- How to create linguistic models for the processing of personal data?
- What algorithms do we need for the efficient processing of personal data in texts?

## 10:00 – COFFEE BREAK

## 10:30 – DIGITAL AGE OF CONSENT: LOOKING FOR A NEW PARADIGM

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆

**Organised by** CEU San Pablo University (ES) - South EU Google Data Governance Chair (EU)

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

**Speakers** Maria da Graça Canto Moniz, Nova University Lisbon (PT); Georgios Yannopoulos, National and Kapodistrian University of Athens (GR); Emma Day, Freelance Human Rights Lawyer (PT); Vincenzo Zeno-Zencovich, RomaTre University (IT)

One of the most important issues regarding children’s online privacy is to determine how to comply with the relevant provisions in Article 8 GDPR on parental consent. In this context, when the child is below the age of digital consent, the personal data processing will be lawful only if the consent is given or authorised by the person holding the parental responsibility over the child. We can identify an increasing number of ways to prove the children’s age online, using different methods and technologies. However, there are many issues to consider regarding the reasonable efforts that any controller should make to verify the validity of a child’s digital consent. In addition, it is essential to identify the dimension of the scope of the mention made by the European legislator regarding the available technological solutions allowing the said verification to be carried out. In this panel we will focus on several issues that will help define the scope of the obligations that the GDPR establishes for the different Internet operators:

- How the principles of privacy by design, privacy by default and data minimisation will play a role to effectively protect children?
- How should the different Internet operators face the challenge of protecting the interests of minors on the Internet and comply with the obligations that the GDPR establishes in relation to digital consent?
- What factors should be assessed to identify the most appropriate age verification methods?
- How to evaluate the adequacy of the means to be used in each context to express digital consent?

## 11:45 – TRANSITIONAL (LEGAL) TIMES FOR R&D AND R&I SECTORS

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** VALKYRIES H2020 Project - LIDER Lab Scuola Sant’Anna - Ethical Legal Unit (IT)

**Moderator** Denise Amram, Scuola Superiore Sant’Anna Pisa (IT)

**Speakers** Rowena Rodrigues, Trilateral Research (UK); Andrea Parziale, EURAC Research Italy (IT); Owe Langfeldt, DG JUST (EU); Pedro Ramon Y Cajal, INDRA (ES)

R&D and R&I sectors are currently affected by the European Strategy of Data as well as by the entering into application of EU legislative initiatives (Clinical Trials and Medical Device Regulations) and their balance with the ongoing debate on AI Regulation. The panel explores how the standardization and compliance processes will deal with the challenges and new obligations emerging by the uncertainties of the applicable ethical-legal framework in order to understand the possible domino effect produced by the GDPR towards the following EU initiatives aiming to enhance fundamental rights in the new technologies. Specific scenarios, investigated under the H2020 - VALKYRIES project as well (GA 101020676), will be discussed by the speakers, such as the development of AI solutions for first aid and multi-victim disasters, where health-related data are processed.

- Which are the most significant obligations for R&D and R&I emerging from the EU Strategy of Data framework and the already approved CTR, MDR, GDPR?
- What are the challenges in terms of standardization and compliance?
- How the proposal of AI Regulation will impact on the development of solutions
- Which specific safeguards shall be implemented in case of solutions processing health-related data for emergencies management?

## 13:00 - LUNCH

### 14:15 – ROLE OF ETHICS COMMITTEES IN THE EUROPEAN HEALTH DATA SPACE

**Academic** ☆☆ **Business** ☆☆ **Policy** ☆☆☆

**Organised by** Standing Committee of European Doctors (CPME) (BE)

**Moderator** Sjaak Nouwt, KNMG (NL)

**Speakers** Guillaume Byk, DG SANTE (EU); Annika Eberstein, COCIR (BE); Otmar Kloiber, WMA (INT); Mélodie Bernaux, French Ministry of Health (FR)

The European Commission is expected to adopt a proposal for a Regulation on the European Health Data Space (EHDS) in the first quarter of 2022. Personal data collected from primary care via the electronic health records could be linked to the EHDS system in order to be used for health research purposes and policy-making. This repurposing activity will be based on the data subject's consent but might also be based on another legal basis, such as the performance of a task carried out in the public interest or a specific Union law considering the further processing as compatible and lawful. When consent is not the legal basis, and data are identifiable, the EHDS should foresee greater involvement of ethics committees. The same reasoning should exist for the establishment of databases concerning health used for research and policy-making. This panel will take a deep dive on what specific countries are doing in this area and discuss possible recommendations on how, where and when in the procedure ethics committees could be involved in the EHDS (e.g. one-stop-shop).

- How can the EHDS support the use of clinical data and public health data for health research and policy decision-making while protecting patients' privacy? What does the EHDS proposal foresee?
- How can the ethical principles for digital health developed by the French Presidency provide protection in the context of the EHDS? What is being done at national level and what is the interplay with data protection authorities?
- What role should ethics committees play today in relation to personal data concerning health? Should their role to change in relation to the EHDS? Should they have enforcement powers?
- Why does it matter to consider the Declarations of Taipei and Helsinki of the World Medical Association for the EHDS?

## 15:30 - COFFEE BREAK

### 16:00 – DATA PROTECTION NEW FRONTIERS IN BRICS COUNTRIES

**Academic** ☆☆ **Business** ☆☆ **Policy** ☆☆☆

**Organised by** Center for Technology and Society at FGV/ CyberBRICS Project (BR)

**Moderator** Luca Belli, Center for Technology and Society at FGV Law School (BR/IT)

**Speakers** Danilo Doneda, National Council for Privacy and Data Protection (BR); Smriti Parsheera, CyberBRICS (IN); Sofia Chang, Center for Technology and Society at FGV (BR); Sizwe Snail, Information Regulator (ZA); Andrey Schcherbovich, CyberBRICS (RU)

The evolution of data protection regulatory frameworks in the BRICS Countries (Brazil, Russia, India, China, South Africa) has been quick and consistent, and is increasingly contributing to forge international standards as well as to broaden the frontiers of data protection regulation. This panel proposes to delve into new developments and common grounds among these new frameworks, considering, for example, the new Chinese data protection law, the first year of the Brazilian LGPD, the Indian data protection Bill, the Russian Internet Sovereignty debate, and the enforcement challenges in South African.

- What major developments took place in the BRICS data protection frameworks over the past year?
- How are BRICS countries innovating data protection policy and institutional frameworks?

- Digital sovereignty and cybersecurity are playing an increasingly important role in BRICS data protection circles. Can we identify common trends?

### 17:15 – SYNTHETIC DATA MEET THE GDPR: OPPORTUNITIES AND CHALLENGES FOR SCIENTIFIC RESEARCH AND AI

**Academic** ☆☆ **Business** ☆☆ **Policy** ☆☆☆

**Organised by** University of Turin, UNITO (IT)

**Moderator** Eleonora Bassi, Nexa POLITO (IT)

**Speakers** Theresa Stadler, EPFL (CH); Massimo Attoresi, EDPS (BE); Pompeu Casanovas, La Trobe University Law School (AU); Jerome Bellegarda, Apple (US)

Huge amounts of personal data are increasingly collected by governments and the private sector. Such data are potentially highly valuable for scientists, e.g. for work on precision medicine and digital health. Striking a balance between free availability of data for research purposes and the protection of individuals from potentially harmful disclosure and misuse of information, however, is not an easy task. Efforts to guarantee effective de-identification methods have been so far inconclusive, particularly in the context of large datasets where it is extremely difficult to prevent re-identification of individuals. Synthetic data can capture many of the complexities of the original datasets, such as distributions, non-linear relationships, and noise. Yet, synthetic datasets do not actually include any personal data. We may provide solutions for well understood domains, augment domain data when acquiring such data is sensitive or expensive, and explore machine learning algorithms and solutions when actual domain data is not available. A number of opportunities and challenges follow as a result in the fields of artificial intelligence, e.g. machine learning applications, and personal data processing for scientific purposes, e.g. the re-use of personal data.

- How do synthetic data improve today's state-of-the-art in AI?
- How can synthetic data improve today's legal regulations on the processing of personal data for scientific purposes?
- What are the limits, e.g. translational or operative boundaries, of this approach?
- What personal data applications could be a game-changer through the use of synthetic data?

### 18:30 – CLOSING REMARKS BY PAUL DE HERT (VUB) AND WOJCIECH WIEWIÓROWSKI (EPDS) in Grande Halle

### 19:00 – COCKTAIL SPONSORED BY PRIVACY SALON in Le Village

## CPDP2022 PANELS AT AREA 42 GRAND

### 08:45 – FROM SHAREHOLDER VALUE TO SOCIAL VALUE

**Academic** ☆☆ **Business** ☆☆ **Policy** ☆☆☆

**Organised by** IEEE (AT)

**Moderator** Adriana Nugter, Vrije Universiteit Amsterdam (NL)

**Speakers** Sarah Spiekermann, Wirtschaftsuniversität Wien (AT); Ulrich Weinberg, Global Design Thinking Alliance (DE); Salvatore Scalzo, DG CNECT (EU); Lohan Spies, Sovrin Steward Council (SA); Alexandra Ebert, MOSTLY AI (AT)

The proposed EU AI Act highlighted the need for standards that support ethical alignment of applications. The IEEE7000 standard proposes concrete processes to build systems that bear a whole spectrum of social values. First case studies give hope that the standards' processes deliver what was promised: to go from shareholder value to social value. But are companies ready to follow such a process framework? Is the positive vision of 'technology for humanity' realistic in times of global competition on cost and technological sovereignty; times where personal data market models and the attention economy seem to be firmly established? Is thorough planning and documentation, as well as good control over eco-system partners in contradiction with the current mantra of agile system development? Do we need a general return to 'risk-thinking' for any kind of system development?

- Is corporate strategy willing to sacrifice profit margins for human values?
- Are engineers ready to forgo some agility for the sake of value-based requirements engineering and transparent system design (which implies documentation)?
- Is it realistic to establish and live strong eco-system control?
- Do we really need risk-based design approaches only for high-risk applications?

## 10:00 - COFFEE BREAK

### 10:30 – TACKLING SURVEILLANCE AND ITS BUSINESS MODEL THROUGH DECENTRALISATION - DISCUSSING INFRASTRUCTURE AND TOKEN ECONOMICS

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** Nym Technologies (CH)

**Moderator** Claudia Diaz, Nym and KU Leuven (BE)

**Speakers** Renata Avila, Open Knowledge Foundation (GT); Jaya Klara Brekke, Nym Tech, Weizenbaum Institute, (DE/UK); Carissa Véliz, Oxford (UK); Chelsea Manning, Nym (INT)

In the context of mass-surveillance, traffic analysis and Machine Learning, privacy cannot be a question of individual preference. But how can we make privacy the default and build a global privacy infrastructure, in practice? Current internet business models are all about collecting and exploiting data. With centralised parties running the infrastructure, user consent is a joke. “Take it or leave it” is not a meaningful choice for basic infrastructure. COVID-19 is set to exacerbate this, with more processes going digital, and the roll-out of contact tracing and vaccine certificates. In reaction to centralisation and data exploitation, recent years have seen a wave of decentralised technologies. New protocols, blockchains, DLTs and DAOs aim to challenge surveillance capitalism by proposing new models for the internet. This panel will discuss these as an infrastructural approach, and how it can further the aim of global privacy.

- Can we have a decentralised approach to privacy-preserving infrastructures that removes the big powerful providers that collect data for profit?
- How can we ensure all participants have the right incentives to make the system sustainable?
- By decentralising privacy infrastructure, can we remove the surveillance incentive?
- In such a decentralised infrastructure, who is trusted for what?

### 11:45 – POWER OVER DATA AND ALGORITHMS: CAN WE GET IT BACK?

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** Ada Lovelace Institute (UK)

**Moderator** Ravi Naik, AWO (UK)

**Speakers** Paul Nemitz, European Commission (EU); Katarzyna Szymielewicz, Panoptykon Foundation (PL); Michael Veale, University College London (UK); Raegan MacDonald, Mozilla (US)

Today’s complex but invisible data infrastructures, operated and controlled by dominant tech platforms, block the way for more sustainable, privacy-protective and user-centric business models that place emphasis on accountability towards individual users and are mindful of the social impacts. The panel will discuss what regulatory, technological and institutional transformations are needed in order to reclaim the power over data and algorithms from dominant platforms and re-channel it to serve individual and societal goals. Invited experts will discuss the most promising avenues, which include data sharing structures and governance models, and new types of infrastructure and institutions that could emerge following the European data strategy. The panel will acknowledge risks and practical difficulties that come with potential transformations that aim to change how power over data and algorithms operates. These changes can be opening up the core functions of dominant platforms via interoperability measures, opening access to data controlled by dominant platforms for non-commercial purposes and introducing data governance intermediaries motivated by social goals. These insights will be based on preliminary findings made by the Rethinking Data working group set up by the Ada Lovelace Institute.

- How do the proposed measures in the European data strategy (which includes the Data Governance Act, Digital Markets Act, Data Act) meet the ambition to re-channel the use of data and algorithms towards societal goals? Are these measures fit for purpose?

- What data protection and data security safeguards need to be built in the design of new data governance frameworks, institutions and infrastructures to prevent loopholes, harms and abuses?
- What would new power structures and a new role for data look like, beyond what has been proposed in the Data Governance Act and the Data Act, to address structural dependencies and strengthen accountability?

## 13:00 - LUNCH

### 14:15 – IS A EUROPEAN DATA STRATEGY WITHOUT TRADE-OFFS BETWEEN ECONOMIC EFFICIENCY AND FUNDAMENTAL RIGHTS PROTECTION POSSIBLE?

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** Open Future Foundation (NL)

**Moderator** Balázs Bodo, IViR (NL)

**Speakers** Heleen Janssen IViR (NL) and Computer Science & Technology, University of Cambridge (UK); Alek Tarkowski, Open Future Foundation (NL); Damian Boeselager, European Parliament (EU); Lorelein Hoet, Microsoft (BE)

European data strategy and its key legislative measures, the Data Governance Act and the Data Act, have two stated goals. First, the strategy seeks to grow the data economy, innovation and data use in the Single Market. Second, a citizen-centric commitment to European values is declared. These are potentially conflicting goals, as human rights protection is often seen as a barrier to economic growth. EU’s strategy introduces novel data governance models, including data cooperatives, enabling European data policies that support democratic, citizen-centric data governance. Meanwhile, these new governance models might, if interests involved are not robustly regulated, rather create risks to human rights, than help protect and foster these. Reconciling internal market interests while protecting European values is key, if Europe wants to achieve digital sovereignty, while forging a real and trustworthy alternative model to other emerging digital societies.

- Which policy measures in the new Data Strategy have greatest transformative potential for the Internal Market?
- What are the greatest expected drivers and obstacles of data-driven innovation within the European data strategy?
- What are the potential points of conflict between economic growth from data and fundamental rights within the European data governance framework?
- Can the European commitment to citizen-centric, democratic data governance be maintained under the perceived competitive pressure with China and the US?

## 15:30 - COFFEE BREAK

### 16:00 – LIMITS OF EMERGENCY POWERS: PROTECTING PRIVACY IN EXCEPTIONAL CIRCUMSTANCES

**Academic** ☆☆☆ **Business** ☆☆☆ **Policy** ☆☆☆

**Organised by** EPIC (US)

**Moderator** Calli Schroeder, EPIC (US)

**Speakers** Kristina Irion, Institute for Information Law, University of Amsterdam (NL); Malavika Jayaram, Digital Asia Hub (IN); Rafael Zanatta, Data Privacy Brasil (BR); Patrick Penninckx, Council of Europe (INT)

The COVID-19 crisis has highlighted the need for strong data protection standards during public health emergencies. Governments and private entities have used contact tracing technologies, employee monitoring, surveillance drones, facial recognition, and more in an attempt to combat the spread of COVID, justified by a “state of emergency.” Italy, for example, approved the use of drones to surveil lockdown-violators during the pandemic, identify infected individuals, and even yell at offenders through recorded warnings.

Under many global legal regimes, certain rights may be curtailed or temporarily limited during states of emergency, exceptional circumstances, or due to pressing national interest. However, privacy advocates have been vocal about the need to ensure that emergency measures are limited – both in time and scope – and do not permanently undermine individual privacy rights or become the “new normal.”

- What limitations – both in law and in practice – currently exist on curtailing privacy protections during a state of emergency?

- How are privacy protections safeguarded by data protection authorities, civil rights groups, and others during a declared state of emergency?
- Are there areas that you believe most urgently require protections against exploitation during a state of emergency?
- How can we effectively combat potential abuse of “state of emergency” to curtail privacy rights?

### 17:15 – WHEN PRIVACY AND DATA PROTECTION RULES, WHAT AND WHO LOSES OUT?

Academic ☆☆☆ Business ☆ Policy ☆☆

**Organised by** Interdisciplinary Hub for Digitalisation and Society (iHub), Radboud University Nijmegen (NL)

**Moderator** Sarah Eskens, ALTI, Vrije Universiteit Amsterdam (NL)

**Speakers** Lee Bygrave, University of Oslo (DK); Augustin Reyna, BEUC(EU); Gloria González Fuster, Vrije Universiteit Brussel (BE); Tamar Sharon, iHub, Radboud University Nijmegen (NL)

When it comes to digital harms, privacy and data protection concerns have come to dominate public debate and regulation. While useful early on in the stride against the new power asymmetries of the digital era, the focus on privacy and data protection is currently engendering detrimental effects. Amongst others, the hegemony of the value of privacy may crowd out other values that are no less important or at risk in digital society – such as solidarity, democratic control and justice – or narrowly redefine them as privacy concerns. The focus on data protection may also be counterproductive at a time when Big Tech is developing privacy-friendly ways to expand into new sectors of society. Moreover, governments may increasingly use privacy to evade discussion and critique. The panel will address the effects of the rise to dominance of privacy and data protection concerns.

- What kind of strategic uses is privacy being put to, by corporations and governments?
- Where does data protection law fall short in protecting people from digital harms?
- Which values and rights have suffered from the focus on privacy and data protection, and deserve more attention?
- How can we explain the historical rise to dominance of privacy and data protection in public debate and regulation?

### 18:30 – CLOSING REMARKS BY PAUL DE HERT (VUB) AND WOJCIECH WIEWIÓROWSKI (EPDS) in Grande Halle

### 19:00 – COCKTAIL SPONSORED BY PRIVACY SALON in Le Village

## CPDP2022 PANELS AT AREA 42 MIDI

### 08:45 – PIMS BUILDING THE NEXT GENERATION PERSONAL DATA PLATFORMS, A HUMAN-CENTRIC APPROACH

Academic ☆☆ Business ☆☆☆ Policy ☆☆☆

**Organised by** Internet Users Association

**Moderator** Marco Mellia, Politecnico di Torino (IT)

**Speakers** Leonardo Cervera-Navas, EDPS (EU); Rodrigo Irrarrazaval, WIBSON (ES); Paula Ortiz, IAB Spain (ES); Nikolaos Laoutaris, IMDEA (ES)

The Personal Information Management Systems (PIMS) concept offers a new approach in which individuals are the “holders” of their own personal information. PIMS allow individuals to manage their personal data in secure, local or online storage systems and share them when and with whom they choose. Individuals would be able to decide what services can use their data, and what third parties can share them. This allows for a human centric approach to personal data and to new business models, protecting against unlawful tracking and profiling techniques that aim at circumventing key data protection principles.

PIMS promises to offer not only a new technical architecture and organisation for data management, but also trust frameworks and, as a result, alternative business models for collecting and processing personal data, in a manner more

respectful of European data protection law. This panel will address PIMS from the perspective of the EU regulatory framework, new business models, tools for implementation and success stories. It will be of special interest for companies, developers and entrepreneurs interested in business proposals based on the personal data of European citizens.

- What are the benefits of data sharing for citizens?
- What is Europe's personal data strategy in both regulatory and business development?
- Are user-centric data models competitive?
- What are the main barriers to personal data-driven business development and how to overcome them?

### 10:00 - COFFEE BREAK

### 10:30 – MEASURING FUNDAMENTAL RIGHTS COMPLIANCE THROUGH CRIMINAL JUSTICE STATISTICS

Academic ☆☆☆ Policy ☆☆☆

**Organised by** MATIS project (BE)

**Moderator** Teresa Quintel, Maastricht University (NL)

**Speakers** Daan Vertongen, Belgian Passenger Information Unit (BE); Marianne Junger, Twente University (NL); Alexander Seger, Council of Europe (INT); Michael Levi, Cardiff University (UK)

The European legislators are rapidly developing digital investigation powers of law enforcement authorities, for example the access to Passenger Name Records or the cross-border access to electronic evidence. On the other hand, the cornerstone of the Digital Single Market are new, strong and robust data protection rules, designed to strengthen the protection of fundamental rights of individuals in the Digital Age.

These competing legislative developments are often implemented without objective evidence, which would justify their *raison d'être*. This panel should therefore explore whether we can empirically measure the use and frequency of digital investigation powers, and, based on such measurements, learn something about their fundamental rights compliance.

- What can we learn from the criminal justice statistics?
- Can we objectify the debate about the necessity and proportionality of digital investigation powers?
- Can we quantify the necessity test? What about proportionality?
- How do we ensure the tracing of the entire life cycle of personal data in the criminal justice system, from the moment of its collection/access until the end of the investigation/trial/sentencing?

### 11:45 – BOOK SESSION: ‘INDUSTRY UNBOUND’ BY ARI WALDMAN

Academic ☆☆ Business ☆☆☆ Policy ☆☆☆

**Organised by** CPDP and the Chair ‘Fundamental Rights and the Digital Transformation’ at VUB (BE)

**Moderator** Joris van Hoboken, UvA, VUB (BE)

**Speaker** Ari Ezra Waldman, Center for Law, Information and Creativity (CLIC), Northeastern University (US)

**Discussants** Rowenna Fielding, Miss IG Geek (UK); Svetlana Yakovleva, Institute for Information law, UvA, De Brauw Blackstone Westbroek (NL/BE)

In his book ‘Industry Unbound: The Inside Story of Privacy, Data, and Corporate Power’, Ari Waldman shows how tech companies undermine privacy protections in practice. Building on years of research and interviews with privacy lawyers and professionals, his book reveals the layers of the tech industry’s stranglehold over privacy regulation. By dominating discourse, compliance, and design, the tech industry has managed to stack the cards against us and so effectively co-opt the privacy profession such that even those who call themselves privacy advocates on the inside do not realize how they are complicit in oppressive data extraction. In this special CPDP session, the author will provide an introduction to his book, and engage in a discussion with leading experts about the lessons and insights they draw from this insightful contribution to the field.

- What are the mechanisms through which corporate interests can dominate privacy work?
- What is the relevance of discourse and are there differences between Europe and the U.S. in this regard?
- Do we need more evidence in relation to privacy practices in Europe and the GDPR?
- In what way can privacy practices be made more meaningful in protecting privacy?

### 13:00 - LUNCH

## 14:15 – FALSE PRIVACY IN SHEEP’S CLOTHING: HARMFUL PATTERNS IN RECENT “PRIVACY” PROPOSALS

Academic ☆☆☆ Business ☆☆☆ Policy ☆☆☆

Organised by Brave

Moderator Daragh Ó Briain, Castlebride (IE)

Speakers Pete Snyder, Brave (US); Maneesha Mithal, Wilson Sonsini Goodrich & Rosati (US); Nora Ni Loideain, IALS University of London (UK); Bart van der Sloot, Tilburg University (NL)

Many recent privacy proposals end up being wolves in sheep’s clothing. Sometimes this is because these proposals, on inspection, actually end up being privacy harming data collections systems dressed up as complex privacy enhancing systems; sometimes it’s because systems achieve their privacy aims in ways that box out competitors, and create a false privacy-vs-competition dynamic. This panel discussion will focus on traits common to these false-privacy systems, and features to look out for when evaluating privacy proposals. We’ll focus on reoccurring false trade-offs in this space, including: data vs privacy (systems that claim to improve privacy through additional data collection) and competition vs privacy (e.g., monopolist proposed systems that would harm smaller competitors). Presenters will aim to discuss systems past, current and proposed. Finally, panellists will discuss true privacy preserving alternatives, and how online privacy can be improved without harming users or competition:

- What are traits common to false-privacy systems and what features should be looked out for when evaluating proposals?
- What are the recurring false trade-offs in the space?
- Which systems – past, present and future – might be discussed as relevant?
- What are the true privacy preserving alternatives?

## 15:30 - COFFEE BREAK

## 16:00 – JUSTICE 3.0: AI IN AND FOR JUSTICE AND CASE-LAW AS BIG DATA CHALLENGES

Academic ☆☆☆ Business ☆☆☆ Policy ☆☆☆

Organised by Scuola Superiore Sant’Anna (IT)

Moderator Giovanni Comandé, Scuola Superiore Sant’Anna, Pisa (IT)

Speakers Thibault Douville, Université de Caen (FR); Angelo Dalli, UMNAI (MT); Francesca Toni, Imperial College (UK)

Both the European regulatory landscape and international markets for legal services display a flourishing of initiatives to expand the use of AI and discovery knowledge. A number of products are on the markets while they are outlawed in some countries. Against a backdrop of EU initiatives to foster the re-use of judicial data, the proposed AI regulation exhibits high suspiciousness concerning the use of AI in administering justice and in law enforcement while remains rather silent on the use of the same technologies by private entities. Many of the concerns raised by the European Commission for the Efficiency of Justice (CEPEJ) of the Council of Europe in 2018 still remain largely unaddressed while judicial data as such begins to be seen as a source of social data for policy analysis with KDD and AI methods and tools. This panel will:

- Explore the suitability of the various technologies to preserve adequate levels of personal data protection and bias prevention without losing effectiveness
- Test the state of art in data and argument mining from judicial data, also for policy
- Consider the ethical constraints needed to steer AI in and for justice
- Provide an overview of the possible challenges emerging from considering case law and legal materials as big, possibly open, data.

## 17:15 – EMPOWERING THE AI ACT: LIMITS AND OPPORTUNITIES

Academic ☆☆☆ Business ☆☆☆ Policy ☆☆☆

Organised by Smart Global Governance / EDHEC Augmented Law Institute (FR)

Moderator Gianclaudio Malgieri, EDHEC Augmented Law Institute (FR)

Speakers Adriano Daulisa, Smart Global Governance (FR); Ursula Pahl, BEUC (BE); Vincenzo Tiani, Brussels Privacy Hub (BE), Yordanka Ivanova, DG CNECT (EU)

The AI Act is an incredible innovation in the EU legal scenario. However, both the blacklist and the “high risk” list of AI practices might appear too narrow (the EDPB denounced the lack of protection for biometric identification and emotion recognition) and not flexible enough for the challenges ahead. This panel aims to address, thus, the current limits but also the opportunities of the AI Act proposal. Possible tools could help to empower the current proposal, e.g.: a more flexible notion of risk, a better consideration of emotion recognition, but also individual rights, including an ex-ante duty of participatory design and development of the AI systems.

- Should the blacklist in the AI Act include also other AI practices (e.g., emotion recognition, commercial manipulation)?
- Should other tools protect individuals too (e.g. participatory design)? How?
- Is the proposed system of “high risk” classification effective, forward-looking and flexible enough?
- Is the AIA well connected to other existing legal frameworks (GDPR, EU Consumer protection law)?

## 18:30 – CLOSING REMARKS BY PAUL DE HERT (VUB) AND WOJCIECH WIEWIOROWSKI (EPDS) in Grande Halle

## 19:00 – COCKTAIL SPONSORED BY PRIVACY SALON in Le Village

# CPDP2022 PANELS AT AREA 42 PETITE

## 08:45 – A CYBERSECURITY INCIDENT: WHO YOU GONNA CALL?

Academic ☆☆☆ Business ☆☆☆ Policy ☆☆☆

Organised by Université du Luxembourg (LU)

Moderator Sandra Schmitz, SnT, Université du Luxembourg (LU)

Speakers Pascal Steichen, securitymadein.lu, European Cybersecurity Competence Centre (ECCC) (LU); Corinna Schulze, SAP (DE); Florian Pennings, Microsoft (BE); Dennis-Kenji Kipker, Hochschule Bremen, Institut für Informations-, Gesundheits- and Medizinrecht (IGMR), Universität Bremen (DE)

The Proposal for a revised Network and Information Systems Directive (NIS 2.0 Proposal) encourages Member States to implement a single entry point for all notifications required under the NIS Directive and also under other Union law such as the GDPR and ePrivacy Directive. This panel discusses the organisational and legal requirements for such a “112” single cybersecurity emergency number solution, and whether further harmonization of the various reporting obligations is necessary.

- Is there a necessity to simplify security incident reporting?
- Considering a single cybersecurity emergency number solution, does this require streamlining reporting timeframes and content?
- Do factors such as different protection goals and levels inhibit streamlining?
- Is there a real risk of overreporting in light of the envisaged obligation to report cyber threats and incidents that have the potential to cause harm?

## 10:00 - COFFEE BREAK

## 10:30 – ACADEMIC SESSION 1

Academic ☆☆☆☆☆☆☆

Organised by CPDP

Moderator Ricardo R. Campos, Goethe-Universität Frankfurt (DE)

- Valeria Ferrari, University of Amsterdam (NL): The money of the present future: the platform imaginary and the empowerment/protection of consumers in EU policymaking on digital payment infrastructures
- Laima Janciute, Vilnius University (LT): The right to preserve the use of cash: innovation, counter-currents, and the protection of privacy

- Ine van Zeeland, Vrije Universiteit Brussel (BE) and Jo Pierson, Vrije Universiteit Brussel (BE): Data Protection Risks in Transitional Times: The Case of European Retail Banks
- Daniel Woods, University of Innsbruck (AT): Quantifying Privacy Harm via Personal Identity Insurance

## 11:45 – ACADEMIC SESSION 2

**Academic** ☆☆☆☆☆

**Organised by** CPDP

**Moderator** Michael Friedewald, Fraunhofer Institute for Systems and Innovation Research ISI (DE)

- Katherine Nolan, London School of Economics and Political Science (UK): The role of the individual in data protection law: object, subject, and agent
- Davide M. Parrilli and Rodrigo Hernández-Ramírez, European University of Lisbon (PT): Enhancing User Privacy through Ethical Design: The Case of Dark Patterns in Cookie Banners
- Maximilian Hils, Daniel Woods, and Rainer Boehme, Innsbruck University (AT): Conflicting Privacy Preference Signals in the Wild
- Wenlong Li, University of Birmingham (UK) and Jill Toh, University of Amsterdam (NL): Data Rights ‘in Dutch’: The Promises and Pitfalls of Uber/Ola Judgments in the Era of Digital Worker Resistance

## 13:00 - LUNCH

## 14:15 – LIMITING STATE SURVEILLANCE BY MEANS OF CONSTITUTIONAL LAW: POTENTIALS AND LIMITATIONS

**Academic** ☆☆ **Business** ☆☆ **Policy** ☆☆

**Organised by** Fraunhofer ISI

**Moderator** Murat Karaboga, Fraunhofer ISI (DE)

**Speakers** Christian Geminn, Univ. Kassel (DE); Jane Kilpatrick, Statewatch (UK); Ulf Buermeyer, GFF/EDRi (DE); Michael Kilchling, MPI-CSL (DE)

In its 2010 ruling on data retention, the German Federal Constitutional Court stipulated that the legislature is henceforth obliged to exercise greater restraint when considering new retention obligations or authorizations in view of the totality of the various data collections already in place. From this, the German law professor Alexander Roßnagel derived a government obligation to examine the proportionality of the overall burdens on civil liberties on the basis of an overall consideration of all government surveillance measures (the so-called “surveillance calculus” or “Überwachungs-Gesamtrechnung” in German). According to this interpretation, there is a maximum level of state surveillance that must not be exceeded. For example, once a certain threshold is reached, the legislator would have to exchange one surveillance measure for another, rather than introducing an additional one. This panel will discuss the potential and limitations of such a calculation as well as possible approaches to its implementation.

- How can we record and, especially, assess the different surveillance measures of the various legislators on the EU, national, regional and local level?
- What would be the expected legislative effect: Would the oldest surveillance measure have to be repealed or would the latest never take effect?
- There are also fundamental questions: What would be an acceptable level of surveillance and who determines it?
- Would a surveillance calculus rather lead to a critical control or to legitimisation of (additional) surveillance measures?
- What value could this debate have for the rest of the EU or even beyond? Are there any points of reference in EU law or in the constitutional law of other member states that could prescribe such a ceiling for state surveillance?

## 15:30 - COFFEE BREAK

## 16:00 – ACADEMIC SESSION 3

**Academic** ☆☆☆☆☆

**Organised by** CPDP

**Moderator** Bart Van der Sloot, Tilburg University (NL)

- Suncana Slijepcević, Bruno Škrinjarić and Edo Rajh, The Institute of Economics, Zagreb (HR): Citizens resilience to online privacy violation and use of digital public services (online participation)
- Jorge Pereira Campos, João Gonçalves and Jason Pridmore, Erasmus University Rotterdam (NL): Data Donation as e-Participation: How Citizens Construct the Risks of Donating Personal Data to Smart Cities
- Elisa Orru, University of Freiburg (DE): Preemptive security: the role of ICTs and the regulatory framework. An analysis based on the PNR-Directive
- Hunter Dowart, Future of Privacy Forum (US): Chinese Data Protection in Transition: A Look at Enforceability of Rights and the Role of Courts

## 17:15 – GOVERNMENT ACCESS TO DATA HELD BY THE PRIVATE SECTOR: HOW CAN DEMOCRACIES SHOW THE WAY?

**Academic** ☆☆ **Business** ☆☆ **Policy** ☆☆

**Organised by** Georgia Institute of Technology, School of Cybersecurity and Privacy (US)

**Moderator** Peter Swire, Georgia Institute of Technology, School of Cybersecurity and Privacy (US)

**Speakers** Théodore Christakis, Université Grenoble Alpes (FR); Ralf Sauer, DG Justice (EU); Samm Sacks, Yale Law School/ New America (US); Georgia Bruce, DCMS (UK)

What set of principles and laws should apply to government access to personal data, including for law enforcement, foreign intelligence, and national security purposes? As framework privacy and data protection laws have spread to most countries in the world, there is considerable uncertainty about how protections apply outside of the commercial sector. In democracies, state power should be exercised under the rule of law, generally including a prominent role for an independent judiciary. Non-democracies have also adopted framework data protection laws, but with uncertainty about how rule of law may apply for government actions. China has now adopted a framework data protection law, but lacks important rule of law institutions. The United States is a democracy with rule of law under its Constitution, but lacks a framework data protection law. Principled discussion about government access thus is emerging as central to geopolitical debates.

- What are the best forums for multi-lateral consideration of these issues of government access?
- What is the difference between “compelled/obliged” access and “direct” access? Does this difference matter when it comes to promoting democratic principles on government access to data held by the private sector?
- What legal rules and principles should apply to a democracy’s efforts to protect its national security through intelligence collection outside of its borders, including toward both allies and adversaries?
- What could we learn from recent developments on these matters, including the EU/US negotiations for a successor to Privacy Shield and the OECD process following the G20 initiative for free data flows with trust?

## 18:30 – CLOSING REMARKS BY PAUL DE HERT (VUB) AND WOJCIECH WIEWIÓROWSKI (EPDS) in Grande Halle

## 19:00 – COCKTAIL SPONSORED BY PRIVACY SALON in Le Village

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### EUROPEAN DATA PROTECTION SUPERVISOR (EDPS)

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;
- operating at the highest levels and developing effective relationships with diverse stakeholders in other EU institutions, Member States, non EU countries and other national or international organisations.



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### EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS (FRA)

The European Union Agency for Fundamental Rights (FRA), established by the EU as one of its specialised agencies in 2007, provides independent, evidence-based advice on fundamental rights to the institutions of the EU and the Member States on a range of issues. The staff of the FRA, which is based in Vienna, includes legal experts, political and social scientists, statisticians, and communication and networking experts. ►

# Kinesso

**KINESSO**

Kinesso builds advanced and adaptable marketing intelligence technology to connect people and grow brands. We enable a world where every connection between brands and customers is meaningful. ▶



**MOZILLA**

Mozilla's mission is to promote openness, innovation and opportunity on the web. We produce the Firefox web browser and other products and services, together adopted by hundreds of millions individual internet users around the world. Mozilla is also a non-profit foundation that educates and empowers internet users to be the web's makers, not just its consumers. To accomplish this, Mozilla functions as a community of technologists, thinkers, and builders who work together to keep the Internet alive and accessible.

# NYM

**NYM**

Nym is a decentralised privacy system made up of a global mixnet, anonymous credentials and a blockchain. Founded in the aftermath of the Edward Snowden revelation, Nym's mission is to protect against network level surveillance and establish privacy as a default for online communications. Only then can people and organisations make meaningful and secure decisions about what, when and with whom they want to share data.

# Uber

**UBER**

Good things happen when people can move, whether across town or towards their dreams. Opportunities appear, open up, become reality. What started as a way to tap a button to get a ride has led to billions of moments of human connection as people around the world go all kinds of places in all kinds of ways with the help of our technology.



**WORKDAY**

Workday is a leading provider of enterprise cloud applications for finance and human resources, helping customers adapt and thrive in a changing world. Workday applications for financial management, human resources, planning, spend management, and analytics have been adopted by thousands of organizations around the world and across industries—from medium-sized businesses to more than 60 percent of the Fortune 50.

# AI4Belgium

**AI4BELGIUM**

AI4Belgium is the Belgian coalition of Artificial Intelligence key players. AI4Belgium is aiming at supporting and helping Belgian regional initiatives. It brings together experts from the private sector, the public sector, the academic world and civil society. It also welcomes all people and organizations who want to better understand the socio-economic impact of AI in the context of the 4th industrial revolution. AI4Belgium aims to ensure that everyone, in an inclusive way, can benefit from the ongoing transition. It pays special attention to and carries out work on the ethical and legal aspects necessary for a trustworthy AI. AI4Belgium is an initiative carried by 6 founding organizations in 2019 (FPS BOSA, BNVKI, Agoria, The Beacon, BeCentral, Reseau IA) . It currently counts 450 organizations and 6,000+ members, including 1,700 AI experts. AI4Belgium also aims to position Belgium, including its regions, in the European and international landscape as a frontrunner of trustworthy AI, addressing the main societal challenges.

# Bird & Bird

**BIRD & BIRD**

Bird & Bird LLP is an international law firm which supports organisations being changed by the digital world or those leading that change. We combine exceptional legal expertise with deep industry knowledge and refreshingly creative thinking, to help clients achieve their commercial goals. We have over 1300 lawyers in 29 offices across Europe, North America, the Middle East and Asia Pacific, as well as close ties with firms in other parts of the world.



**BSA | THE SOFTWARE ALLIANCE**

BSA | The Software Alliance is the leading advocate for the global software industry. Its members are among the world's most innovative companies, creating software solutions that spark the economy and improve modern life. With headquarters in Washington, DC and operations in more than 30 countries around the world, BSA pioneers compliance programs that promote legal software use and advocates for public policies that foster technology innovation and drive growth in the digital economy.

# Data Protection institute

**DATA PROTECTION INSTITUTE (DPI)**

Data protection is taking on an increasingly prominent role in legislation. The need for sound training courses for Data Protection Officers is growing. With the publication of the first version of the GDPR, the role of a Data Protection Officer was added to the European legislative framework on data protection. That signalled the start for DPI. In 2016, the final GDPR text was published which prompted a huge increase in course participants. DPI developed into a leading training company in GDPR. To date, we have trained more than 3,000 professionals and we have a range of GDPR courses. ▶

## EVENT SPONSORS



### ELECTRONIC PRIVACY INFORMATION CENTER (EPIC)

EPIC is an independent non-profit research center in Washington, DC. EPIC protects privacy, freedom of expression, and democratic values; and promotes the Public Voice in decisions concerning the future of the Internet. EPIC's program activities include public education, litigation, and advocacy. EPIC files amicus briefs, pursues open government cases, defends consumer privacy, and testifies about emerging privacy and civil liberties issues.



### HOGAN LOVELLS INTERNATIONAL LLP

Straight talking. Thinking around corners. Understanding and solving the problem before it becomes a problem. Performing as a team, no matter where we're sitting. Delivering clear and practical advice that gets your job done. Our 2,500 lawyers work together, solving your toughest legal issues in major industries and commercial centers. Expanding into new markets, considering capital from new sources, or dealing with increasingly complex regulation or disputes - we help you stay on top of your risks and opportunities. Around the world.



### INTERNATIONAL ASSOCIATION OF PRIVACY PROFESSIONALS (IAPP)

The International Association of Privacy Professionals is the largest and most comprehensive global information privacy community and resource, helping practitioners develop and advance their careers and organizations manage and protect data. Founded in 2000, the IAPP is a not-for-profit association that helps define, support and improve the privacy profession globally.



### ONETRUST

OneTrust is an in-depth and up-to-date privacy and security regulatory research platform powered by more than two decades of global privacy law research. Hundreds of global privacy laws and over ten thousand additional resources are mapped into OneTrust DataGuidance to give customers in-depth research, information, insight and perspectives on the world's evolving list of global privacy regulations. OneTrust DataGuidance integrates seamlessly with the entire OneTrust platform, including - OneTrust Privacy, OneTrust PreferenceChoice™, and OneTrust Vendorpedia™.

## EVENT SPONSORS



### 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.



### SQUIRE PATTON BOGGS

Squire Patton Boggs is one of the world's strongest integrated law firms, providing insight at the point where law, business and government meet. The firm delivers commercially focused business solutions by combining legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients from long established leading corporations to emerging businesses, startup visionaries and sovereign nations. With more than 1,500 lawyers in 47 offices across 20 countries on five continents, Squire Patton Boggs provides unrivalled access to expertise.



### STEPTOE

Steptoe EU cybersecurity, data, and privacy practice focuses on existing EU and national cybersecurity, data, and privacy law. Steptoe cybersecurity, data and privacy lawyers have specific experience preparing and managing incidents in a cross-border context, where it is necessary to consider multiple cybersecurity, privacy, and other regulatory and enforcement frameworks. Steptoe provides practical and pragmatic advice to clients faced with increased accountability requirements towards users. It is helping organizations testing new responses, such as broader use of standards or certification mechanisms across the data lifecycle in a wide range of industries (regulated and not regulated). For more information, visit [www.steptoelaw.com](http://www.steptoelaw.com).



### WILSON SONSINI GOODRICH & ROSATI

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 Els Vertriest, Astrid Dedrie and all Medicongress staff, as well as the technical support of the wonderful people at Create, in particular Gilles Boom and Olivier De Baere. Also, for the mastery of our caterer Les Frères Debecker, a big thank you to their team for providing such delicious food! A big thank you to Anouk Grimaud, Fernand Van Bever and Laetitia van de Walle for the great partnership between CPDP and Les Halles all these years. Vanessa Cano from Area42 and Lauren Visse from Maison des Arts.

To the Privacy Salon team for all the great work behind the scenes of CPDP: Co-directors Bianca-Ioana Marcu and Thierry Vandebussche and their team: Karin Neukermans, Dara Hallinan, Diana Dimitrova, Ana Hriscu, Justien Van Strydonck, Bram Visser, Ana Gagua, Tabea Wagner, Laura Bauer, Annette Monheim, and Peter Moussa. Thank you Ine De Bock, who recently left the team and will be missed.

Many thanks also to all LSTS and student volunteers – Pablo Trigo Kramcsak, Luka Van Der Veer, Hideyuki Matsumi, Barbara Lazarotto, Onntje Hinrichs, Idil Gokgoz, Maciej Otmianowski, Cindy Tsang, Ana Beatriz Bravo, Elif Cundoglu, Carolina Malheiro Dias and Isabela Corrêa da Silva Carrion - who have done a wonderful job. Furthermore, we are thankful for the people at Josworld – Laurent Battheu, Bart Vander Sanden, Agnieszka Piotrowska and Kathleen Verbesselt - who helped design this year's exceptional online image of CPDP.

Special thanks to all people involved in organising the side events of CPDP. Especially a big thanks to Thierry Vandebussche who coordinated and organised the great line up of side events including the curation of the Privacypia events. The CODE2022 project with WerkTank (Kurt D'haeseleer and Anouk Focquier), Impakt (Arjon Dunnewind), School of Machines (Rachel Uwa) and the CODE coordinators Jennifer Jiang and Timo Meilof. Artists Taietzel Ticalos, Effi & Amir, Marijn Bril, Emmanuel Van der Auwera, François de Coninck, Yasmine Boudiaf, Daems van Remoortere. The Bookshop De Groene Waterman with Iris Stroep and Katrien Merckx. The Center for Privacy Studies with Mette Birkendal Bruun and Maarten Delbeke. The Security Distillery with Apolline Rolland, Mara-Katharina Thurnhofer and Steven Mulholland. The DPSN lead by Ana Hriscu and Olga Gkotsopolou. DPInstitute's Peter Berghman and Dorien Van Zaelen. Also, Alok Nandi, Marc Fadoul, Owen Bennett, Rob Van Eijk, Jan Ellerman, Jaya Klara Brekke, Harry Halpin & Marina Petrichenko. The team from Hack!: Marc Verstappen & Amelie Aernaudts from De Studio, fABULEUS, Jong Wild, LARFI, Wajow & dinsdag.org, Edith Leblanc from Cultuurconnect, Publiq and Meemoo. And many, many more.

A big thank you to Gloria González Fuster, 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 in parallel with NYM.

Dara Hallinan, Ronald Leenes, Paul De Hert, Roberta Bassi and Rosemary Mearns from Hart Publishing, 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. Special thanks to Malika Marian Meursing for supporting this process. Thank you also to our brilliant team of reviewers for the CPDP2022 call for papers, all those involved in the process leading to the CPDP2022 conference book, the reviewers from the academic sessions and the second round reviewers: Diana Dimitrova, Malavika Jayaram, Kristina Irion, Charles Raab, Ivan Szekely Marit Hansen, Arnold Roosendaal, Jaap-Henk Hoepman, Joris van Hoboken, Katerina Demetzou, Lina Jasmontaite, Gloria Gonzalez Fuster, Joseph Savirimuthu, Michael Birnhack, Bettina Berendt, Damian Clifford, Gergely Biczók, Gabriela Zanfir Fortuna, Edoardo Celeste, Gianluigi Riva, Sascha van Schendel Yung Shin Van Der Sype, Hiroshi Miyashita, Maša Galic, Tjaša Petrocnik, Thiago Moraes, Aiste Gerybaite, Taner Kuru, Giovanni Livraga, Ashwinee Kumar, Jef Ausloos, Carolin Moeller, Aleecia McDonald, Bart van der Sloot, Hideyuki Matsumi, Raphaël Gellert, Colette Cuijpers, Inge Graef, Jo Pierson.

Additionally, we would like to thank all the panel liaisons for facilitating communication between the Programming Committee and the panel organizers. In particular Maria Magierska, Lucas Van Wichelen, Guillermo Lazcoz, Stephanie Garaglia, Seyedeh Sajedeh Salehi, Achim Klubunde, Ana Fernandez Inguanzo, Bram Visser, Hripsime Asatryan, Javier López-Guzmán, Nikolaos Ioannidis, Katerina Demetzou, Alessandra Calvi, Andrés Chomczyk Penedo, Lander Govaerts, Cristina Cocito, and Olga Gkotsopolou.

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.

Thank you to Rosamunde van Brakel for steering the CPDP ship so well for so many years, now having passed on that responsibility and honor.

Last but not least, the Programming Committee of CPDP2022 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 CPDP2022 would not have been possible!

## IN MEMORIAM



*On Thursday, 19 August, Marc van Lieshout passed away at the age of 64. He died after a brief period of illness, in the presence of his family and loved ones. In Marc we lose an inspired, intelligent and above all warm colleague.*

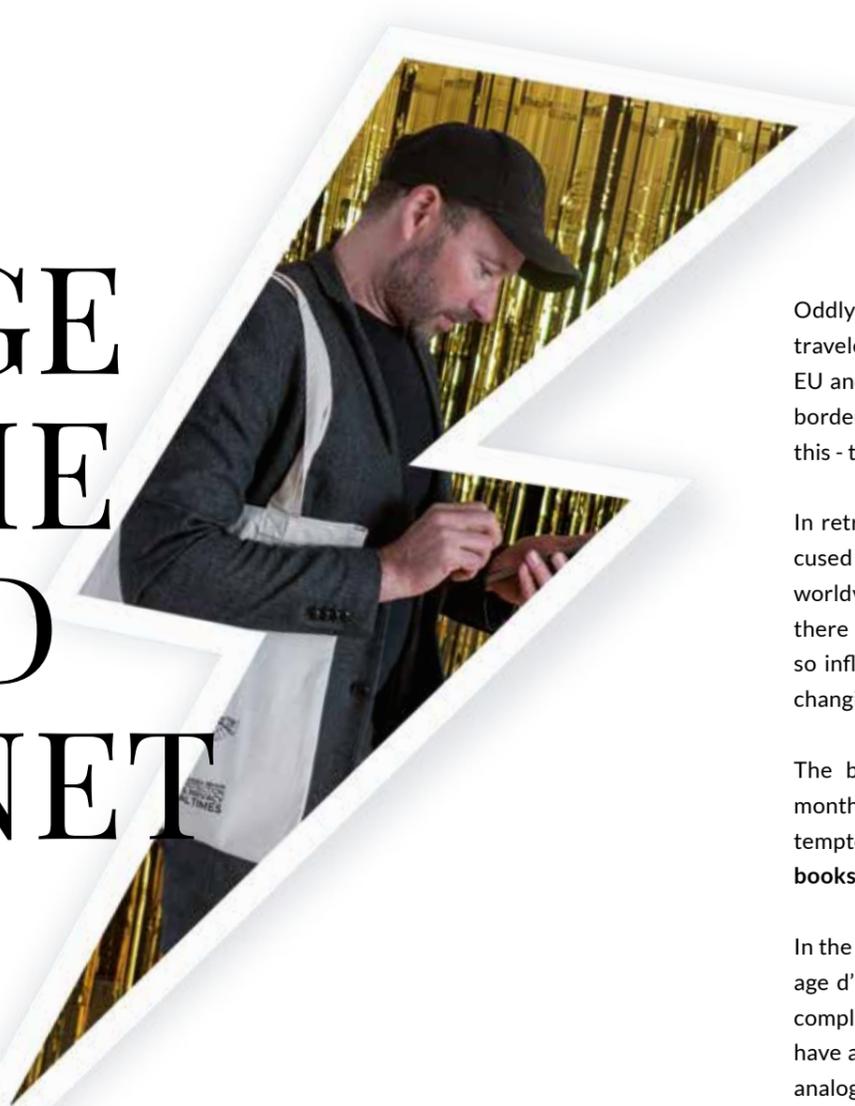
*Marc's gift was to connect, to listen to people and to be open to ideas and initiatives. Each new plan was met with a twinkle in his eye, a warm smile on his face, followed by a deep reflection. Marc developed the RESPECT4U innovation methodology, was a driving force behind the Je-Data-de-Baas project and was a fierce defender of the protection of patients' privacy, but above all was able to put others on a pedestal. Marc was capable, like no other, to lay connections between social, ethical, legal and technical subjects and excelled in interdisciplinary environments: as a strategist at TNO, as a researcher at the Rathenau Institute, as a coordinator at Radboud's iHUB and, of course, as director of the Privacy & Identity Lab.*

*Marc's role for the PI.lab was literally invaluable. For many years, he was one of the driving forces behind the Platform, provided contacts with governments and businesses, closely monitored the academic literature in numerous fields and was the inspired pace-setter and face of the partnership between TNO, Radboud University and Tilburg University. He initiated PI.lab's leading annual interdisciplinary privacy conference, put the privacy summits with, among others, Mireille Hildebrandt, Lokke Moerel, Corien Prins and Bert-Jaap Koops on the map and kept in close personal contact with all members of the lab.*

*Those who knew Marc, remember his warmth, his intelligence and his enthusiasm. In his spare time Marc was a very enthusiastic musician, among others as trumpet player in his band Kladderadatsch. He was phenomenal at making speeches on special occasions. He loved music, art, culture, and personal conversations. We will miss him dearly.*

*On behalf of the entire PI.lab team  
Bart van der Sloot & Henk-Jan Vink*

# VOYAGE TO THE GOOD INTERNET



In 1910, the now famous Swiss architect Le Corbusier started on a trip he later described in a book called *Voyage d'Orient* (Trip to the East). The young man - still called Charles-Édouard Jeanneret then - was in a time of transition. He grew up engraving plates for clocks and plaques, like his father did before him. Instead, he was influenced by architects and started thinking about new, revolutionary building techniques with reinforced concrete. His travels didn't bring him further than Prague, Vienna, Budapest, Istanbul, Mount Athos, Athens, then Pompeii and Pisa before returning to Switzerland where he built, in memory of his impressions, two villas: the one nicknamed white and the other Turkish.

Oddly enough, this boy with a transitional mind traveled the borders of what today is so clearly EU and NATO ground. Everything east from that border was left in the dark. I can't help but look at this - today - as an obscured metaphor.

In retrospect, young Corbusier can easily be accused of shortsightedness, specked out with the worldview of a navel-gazer. At the same time, there have been few architects who have been so influential and future positive, embracing the changing times and the tech available.

The book *Voyage d'Orient* was only published months before Le Corbusier died. You might be tempted to **grab a copy at the curated CPDP bookshop in Area42** (if it isn't sold out yet...)

In the virtual world made of code and data, a voyage d'Orient - or to any Cardinal direction - is a complex concept to define. Left, right or gravity have a lesser meaning here. But in parallel to the analogue world, boundaries are clearly existing virtually, and they are pushed at a speed that is sometimes difficult to grasp.

Working at Privacy Salon, on a day-to-day basis I get a deeper understanding of what the CPDP community is. I also work with artist and creative researchers through the development of the arts program of Privacytopia. When trying to fuse these two different worlds of privacy professionals and professional artists, I cherish how unique the DNA of Privacy Salon is, the organisation that also makes the CPDP event happen. All the protagonists here are the architects working on the construction of a transitional world where known rules (gravity, orientation, property, privacy...) have other meanings, while new rules are being written on the go.

CPDP is 15 years of age now. Like young Corbusier in transition, CPDP is also on the verge of outgrowing adolescence. We didn't organise a party for the occasion, but we traditionally collaborate with Mozilla who is already doing a great job at

that (May 24th). For us, the real party is the fact that we can all be together again, in person. And if you can't help but organise a surprise for us: go ahead, we generally like surprises. That's partly why we started working together with young theater makers from Belgium who made the play HACK! This production analyses life online from a youth perspective.

On the premises of CPDP, you will find some results from our **Artist in Residence** program. Privacytopia actively matches artists with research programs from our partners. Artist duo **Effi & Amir**, for example, are looking for anyone who has interesting insights on biometric voice-tech and voice-surveillance (feel free to reach out to them at Area42). **Marijn Bril**, who had an artist studio set up in our virtual leisure area of Gather.town last year, worked on the theme of Workplace Surveillance and is presenting the video installation resulting from conversations she had with the CPDP crowd. On the following pages, all the side events are being listed and explained. People involved are being portrayed by our in-house editor and (excellent) photographer.

Don't forget to check out the breakout sessions and panels from the side events program (Maison des Arts). On Monday morning, the **Centre for Privacy Studies** (Copenhagen University) kicks off with 2 inspirational sessions. Damla Göre will speak about notions of private/public as they appear in early twentieth century Ottoman women's magazines. Niloofar Rasooli on her research into public space in twentieth-century Iran. The **Future of Privacy Forum** is running a masterclass: State-of-Play of De-Identification Techniques. Etcetera. And finally, **CODE2022** is an engaging project you will want to have a closer look at. It brings together artists and non-artist to collaboratively work on tools to influence or help influence for good.

Thierry Vandebussche  
Co-director of Privacy Salon  
Director of Privacytopia

# CPDP2022 OPENING NIGHT



Join us at 18:00 on 22 May in Area42, Brussels, for the Opening Night of CPDP 2022 with two stellar discussions and a cocktail reception. Thank you to **Nym Technologies** and the **Brussels Privacy Hub** for co-organising this special evening with us.

Introductory remarks by Paul De Hert

## PRIVACY AGAINST POWER – IN CONVERSATION WITH CHELSEA MANNING

Having recently returned from the Ukrainian/Polish border, activist and security analyst at Nym Chelsea Manning will speak about the urgency of private and secure communications. She will be in conversation with KU Leuven Professor Bart Preneel and Nym CEO Harry Halpin.

## VULNERABLE INDIVIDUALS IN THE AGE OF AI REGULATION

Defining and protecting individual vulnerabilities is a relevant challenge in the data protection field. In the GDPR the definition of “vulnerable” data subjects refers explicitly only to children, but the EDPS has often clarified that any situation of imbalance could bring to data subjects’ vulnerability: this includes cognitive issues, social and economic conditions, but also strongly asymmetric relationship (users of social media, employees vs. their employers, patients in hospitals, etc.).

The Artificial Intelligence Act is taking this challenge into account, proposing to prohibit the exploitation of some forms of vulnerability (based on age, disability or – in the Council

version – even economic and social conditions), but it is very limited. However, the general definition of vulnerability proposed at Article 7 as based on a power, informational or social imbalance seems very meaningful.

This panel will be the opportunity to promote a multi-stakeholder discussion between scholars, activists, industries and institutions on the definition and protection of vulnerable data subjects across the world.

**With:**

Mireille Hildebrandt, Vrije Universiteit Brussel  
Louisa Klingvall, European Commission  
Gabriela Zanfir Fortuna, Future of Privacy Forum  
Ivana Bortoletti, University of Oxford  
Brando Benifei, European Parliament

**Moderated by** Gianclaudio Malgieri, Vrije Universiteit Brussel/EDHEC Business School

**Concluding remarks by** Achim Klabunde

**Followed by a cocktail reception celebrating the CPDP 2022 Opening Night!**

Workshop - Tracking Exposed founder Claudio Agosti shares the results of two investigations into YouTube algorithmic bias and TikTok’s growing - and unaccountable - role in geopolitics.

Discover their pioneering tool that allows anyone to run investigations into YouTube’s and TikTok’s opaque algorithm.

You’ll learn what Tracking Exposed’s tool can do, how to install it, and then see how they’ve used it to uncover:

## ALGORITHMIC BIAS ON YOUTUBE DURING COVID AND THE US ELECTION

- How YouTube’s search engine promoted different election results to its users based on political profiling in the US 2020 elections.
- That the amount of COVID disinformation on YouTube differs depending on your language.

You’ll also learn how you can uncover shadowbanning and take back control of your YouTube recommendations with YouChoose.ai.

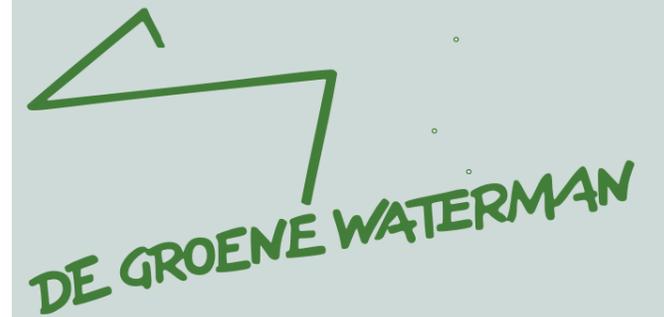
**Monday, 23rd of May • 10:30 • Maison des Arts/Dinner Room • Workshop • Places are limited!**

## ALGORITHMIC TRANSPARENCY: TIKTOK’S ROLE IN THE WAR IN UKRAINE AND FRENCH ELECTION

- How TikTok blocked 95% of content available to Russians after the war in Ukraine - without announcing it.
- How TikTok’s algorithm affected the visibility of political candidates in the latest French presidential election.

This talk is for anyone interested in algorithmic transparency, election integrity and disinformation, including journalists, researchers and regulators who might want to collaborate. Suitable for a non-technical audience.

**Monday, 23rd of May • 11:45 • Maison des Arts/Dinner Room • Workshop • Places are limited!**



## CURATED BOOKSHOP AND BOOK LOUNGE DE GROENE WATERMAN

We invited one of our favorite bookshops to select and present a surprising literature list at the conference. During the conference hours you can browse through the books, find some ‘classics’ and discover new titles. We are positive you will feel the urge to add a new title to your book collection.

The bookshop was born in Antwerp in 1968 and is turned into a cooperative since 1997. De Groene Waterman is more than a shop. Its offer is not determined by numbers, but is the personal choice of the booksellers. Here, a book may be a bit older or have a slower selling time. The store offers nearly 10,000 titles, covering an extensive range of prose, poetry, philosophy, art, science, history, sociology, politics and children’s books. They go through great lengths highlighting lesser-known, high-quality publishers, authors and magazines. They often rely on the expertise and taste of our customers for this. The shop offers books in Dutch, English, German, French, Spanish and Italian.

**23-24-25th May • Open all day, every day • Area42**

# TRACK TRACY

The artist duo Daems van Remoortere got to know each other at the Royal Arts Academy of Antwerp. Lena studied photography and Frederik studied In-Situ Art. Back then, Frederik's work already was mostly outdoors and in the urban landscape. His main goal was to bring people together through art installations. One of the first projects Lena and Frederik did together was a movie script about how people react to light and how they behave when there is less or more light. Out of this idea Track Tracy was born which. Privacy Salon, the organization behind CPDP, will present this project later this year in Brussels during the GDPR Salon. We already looked up the artists in their studio in Antwerp.

**Hello, you two, how are you today?**

**D** We are good. We are working on something new now. It's a special project in Brussels, an art integration project for a new prison. The three prisons that are now located in Brussels are closing in time and the plan is to make one big new institution. They are not only renewing their building, but also their social and philosophical approach. The focus is on education, making re-integration in society easier after prison-time, in contrary to simply locking people up as a punishment.

**That is a better approach, I agree. I didn't know the city of Brussels is planning this.**

**D** It's an evolution, a development for good. It is based on the Danish model. Also, artworks are being integrated

with the new buildings. And that's where we come in. The goal is to give prisoners a better connection with nature instead of having them look at concrete all day. It seems to work better because nature has a comforting, calming effect on people. When prisoners can grow trees, for example, and see the nature changing, it makes a big difference. We are planning to create a kinetic work of art, a sculpture which is following the seasons. It will be moving 2 centimeters a day, 8 meters in total each year. It's going up and down. Every season the sculpture changes.

**Sounds fascinating. Although I'm curious to see it, I think I stay out of prison if possible. Let's talk about Track Tracy. During CPDP, Privacy Salon is showing your work "Track Tracy" on a beautiful**

**square in Brussels. Could you tell me something more about this project?**

**►** Yes, when we started Tracy, AI was not so well-known, and people were not believing it. You can see how it has changed over time and how AI is developing. It's becoming more integrated so quickly.

**When was your first Track Tracy project?**

**D** I think we started at the end of 2018, maybe the beginning 2019. But there was also the gap of two years due to the pandemic.

**Did that influence your life and art-work?**

**D** Actually, we were quite lucky and had quite a good period there because Track Tracy is an outdoor project. Another

recent project from this covid era is "Balloning your house". It's also outdoors. Hence, we survived \*both laugh\*.

**That is good to hear. So, how would you describe Track Tracy to someone who has never heard of it before?**

**D** Track Tracy is an outdoor nocturnal art installation usually on an open square with two spotlights installed on a high building. Tracy is an AI driven robotic, programmed to observe the movement of people passing through this square. So, when people move irregularly the AI will notice and put a spotlight on them. This is why we need an open space, and we can only do this by night of course to make it very visual. We taught Tracy a lot of scenarios of different movements, and she learns with every new project. It is nice to see how she developed compared to when she was born.

**So, Tracy knows which people to select based on their movement and body language?**

**D** Yes. Every person who is walking on the credit gets a number. Tracy observes people walking and if someone is for example changing abrupt directions, is jumping, or dancing or walks faster than average, driving a bike or a scooter, she can recognise this irregular activity and will put a spotlight on that person for a few seconds. We worked together with

## MOST AIs WERE NOT DEVELOPED FOR “BAD” PURPOSES, BUT THEY CAN BE USED IN THE WRONG WAY

Robo Vision to develop Track Tracy and the AI was made for cities and surveillance. A typical example for this would be that the AI can see if someone is standing a long time with a bike or other object. At that point, the computer imagines this person is probably stealing the bike. Or also if someone is missing; then you can type in that the person is wearing a red head and a coat, and the AI would be able to find that person. That is the theory.

**So the theory behind the technology would be security and surveillance, right?**

**D** Yes, when we were working on this, we heard about Robo Vision who were developing a similar security system for the state police. So, the Robo Visions program is already implemented in cities like Antwerp and Brussels for surveillance purposes. What we are doing now with Track Tracy is to visualize the AI surveillance that is already there. Because there are always two sides to a technology, and we are representing both the art and the surveillance behind it. The main purpose is to raise awareness about what is happening in the field of surveillance. Most AIs were not developed for “bad” purposes, but they can be used in the wrong way.

**I think that is the main issue with AI. It is, most of the time, created with good intentions, but it depends on how it is used. Did you have initial ethical concerns about this observation project?**

**D** In the beginning it was a bit unclear. We didn't know what to expect from the audience. But people react differently in different cities and that's interesting to observe. People in the Netherlands react differently from people in Belgium. In Antwerp we had the impression that people did not like Tracy. The project was moved from one place to another and ended up on the outskirts of the city so not many people were able to participate in it or didn't even see the project. So, the Antwerp city administration didn't like it very much because they themselves are using AI in the city for surveillance, a fact that is known to people and to the media. But they don't want to put this use of AI under the spotlight.

**Ow, that's well formulated. Funny enough, they are using it a lot, but they do not support projects that show that they're using it a lot.**

**D** We have the impression they don't want people to know. But in other cities it is always very nice, and we hope Brussels will also like us.

**Track Tracy during CPDP can be found on Place Flagey, correct?**

**D** Yes, it is a nice square to have our work presented. It's one of our favorite Brussels spots. I think the topic of Tracy is also nice to be held in Brussels because it is such a big city with lots of different cultures.

**This will also be a nice activity for the attendees of CPDP. They can attend the conference over the day and at night come to Flagey and see if they can get themselves into the spotlight. Speaking of which, what are your plans for Track Tracy after CPDP and do you have any other projects this year?**

**D** We are going to Germany in October to exhibit at a festival in Hildesheim. For Tracy this is also nice because it will be in a different setting. People also seem to react differently according to the season. For example, in winter, people react differently than in summer because in summer people seem happier and more open. In winter, it gets dark sooner so we can start at 5:00pm when people are walking home from work which also gives a different feeling. We observed that people then felt more like they were being captured, rather than having fun with the piece. In summer, people are more likely to start dancing in the spotlight and showing themselves more. In winter, we see a middle finger every once in a while. ■

Advanced  
Data Protection  
Control



## COOKIE BANNERS, NUISANCE OR NECESSITY?

Returning Meaning to Consent[ing] and Improving the User Experience by Human-centric approaches, Automation, and the Law

Are there any alternatives to cookie Banners? Can we empower end-users and support data controllers with novel interdisciplinary and multidisciplinary approaches? How can the Advanced Data Protection Control (ADPC), together with complementary solutions such as Human-centric Personal Data Protection and Consenting Assistant Systems (PDPCASs), shift how we practice privacy and consenting? What is the state of affairs, and what should be done next? In this session, we present the ADPC and other complementary solutions and discuss the interdisciplinary and multidisciplinary gaps, barriers, enablers, and drivers of realising a human-centric and lawful practice of privacy and consenting.

Organised by Sustainable Computing Lab, Vienna University of Economics and Business; NOYB - European Center for Digital Rights  
Speakers/hosts: Soheil Human, Max Schrems, Alan Tonner

Monday, 23rd of May • 14:15 • Maison des Arts/Library



Awareness raising campaign for SMEs

## GDPR FOR SMEs: AN EXPERIENCE OF THE ARC PROJECT

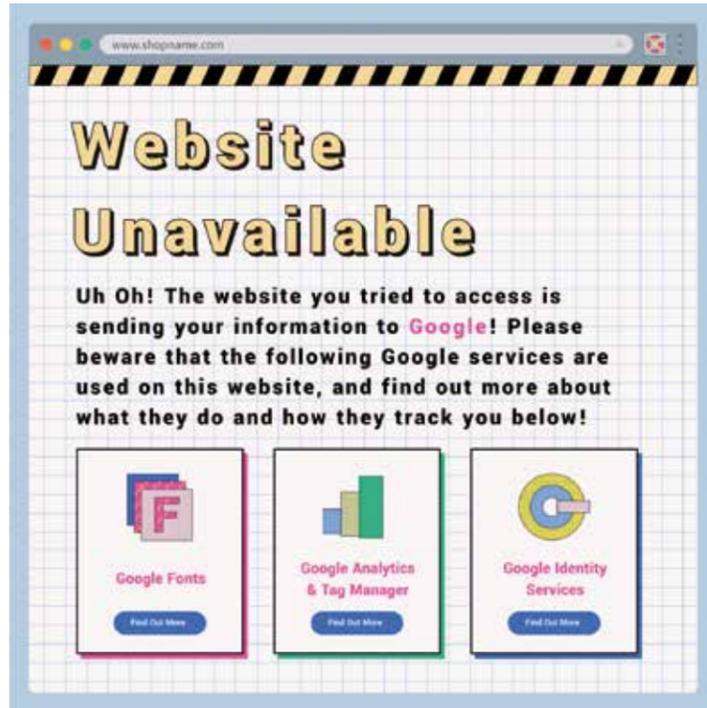
The project ARC - Awareness Raising Campaign for SMEs is co-funded by the European Commission through the 'Right, Equality, and Citizenship' program under the Grant Agreement Number 874524. The project aims to raise awareness of SMEs about the GDPR obligations, helping them to comply with those obligations and answering their questions about the implementation of the GDPR. To achieve those objectives a survey was conducted to identify the needs of SMEs, prepare educational materials about the GDPR, and organize onsite consultations in 27 cities in Ireland and Croatia, etc.

The panel will present the ARC project result and will discuss the experiences shared by the SMEs. The panel will also talk about the impact of the Covid pandemic on SMEs in balancing data protection rights and their survival in the market.

Speakers: Ashwinee Kumar and Iva Katić

Monday, 23rd of May • 16:00 • Maison des Arts/Library - Workshop

# GOOGLESS



We speak to Timo Meilhof as he shines a light on last year's *Googless* project, his upcoming works at CODE 2022, and his concerns about data monopolies. Timo explains the creation of *Googless*, a multidisciplinary project that focuses on combating Big Tech data monopolisation. By exposing the omnipresence of monitoring tools, *Googless* intends to change how we think about our digital rights, and urge those in charge of defending these rights to fight against unfair data collection practices.

Can you tell us a bit about your background in the data protection and privacy field?

**T** I am currently pursuing a Masters in New Media and Digital Culture at the University of Utrecht. Although I have always been interested in art, I would say that I am more of a data researcher. I completed a minor in art and really want to take my background and immerse myself in data ethics. My interest in this subject grew while I was undergoing an internship at the Utrecht Data School, which works in giving advice to political institutions and municipalities, and conducting consultations with institutions

## THIS PROJECT LOOKS TO UNITE ARTISTS WITH RESEARCHERS AND POLICYMAKERS OR POLITICS

in order to make their algorithms more ethical. There, I learned how to understand the challenges of our emerging digital society and how to participate effectively in shaping it.

**Tell us more about the *Googless* project that you realised last year during the first edition of CODE - How did this project begin?**

**T** I found a group of participants and with them, decided to make an invisible power structure that tracks Google's presence on the internet. We were interested in discovering over how much of the Internet is Google able to track you. Our team was inspired to design a disruptive tool to spark action among its users and policymakers after realising the scope of the problem. We created the *Googless* plugin that accomplishes two goals - firstly, it recognises and exposes Google services on any page you visit; secondly, it prevents access to the site while warning you of all the ways these services can acquire your information. For individuals who are already aware of how many websites run entirely or partially on Google services, *Googless* may appear to be impossible to utilise. Through the use of this tool, we found out that about 70% of the top 10,000 visited websites have some form of Google tracking on it. This can range from the likes of Google Analytics to an embedded YouTube video. One of the most shocking examples was Google Fonts because a lot of websites use Google's preset font sets because they're free. They can also use Google Fonts to gather your IP address, and then easily couple it to your user profile.

**What makes this excessive data tracking dangerous, and why is this kind of complex territory?**

**T** The fact that Google is amassing a monopoly is frightening in many ways. The fact that this company has the power to change how the Internet works, along with deciding where data goes and how money is made off of your data as well, is in the hands of one corporate company, which is really motivated mainly by making more money. It's also a problem that we don't really have a choice on, and it's quite ironic that we are meeting in google meets right now - see what I mean? There's no real way of escaping it. But I get it, why would we not use it? Not only is it very convenient but the problem is that, because of Google, they can improve their services and nobody's able to compete, especially when they offer their services for free. My team and I came up with a few options in the discussion about what we can do about Google being a monopoly giant

ruling the internet. One of them is to regulate the company as an utility, seeing that everyone uses it. It is a part of the public utility and if you were to compare it to public roads: ultimately you have to use them and this idea is similar to Internet structures. The thing applies to Google on the Internet: you must use it to be able to interact with certain people, it is extremely difficult to avoid it..

**Would you say that it is in the hands of the government to put pressure on these companies or in the hands of civil society?**

**T** I suppose both! If people vote for politicians who want to change and put pressure on companies like Google, then evidently the people can have an impact. It should be regulated from both a government and political perspective. Just a few weeks ago, the EU stepped up its game by releasing the Digital Markets Act and the Digital Services Act. These Acts limit the power of Big Tech and give users more control over their data. Whereas these companies are usually situated in the US, and are therefore also regulated mainly by US law. The fines that come from Europe, in my opinion, are not enough because they just make enough money to pay them off anyways.

**What differentiates the CODE project from other similar residencies or hackathons?**

**T** It is unique in that it gives an opportunity to less experienced people in this sector, and not only to established artists. This project looks to unite artists with researchers and policymakers or politics, gathering disciplines and integrating multidisciplinary groups so that people can also see what others are interested in and working on. I am looking forward to CPDP2022 to gain some traction and getting to network. During the first edition of CODE I was a participant, this year I'm part of the organising team. It will be great to represent it at the conference and see how the projects originating from CODE start to lead their own lives. ■

**Exhibition/booth • Open: all day, every day • Area42 • The artist runs a roundtable where you can discuss with him directly • CODE2022 presentation: learn how artist and non-artist develop tools to influence politicians or tools that politicians can use to influence and communicate. A collaboration between Privacy Salon, Werkbank (BE), Impakt (NL) and School of Machines (DE)**

**Tuesday 24th May • 13:00 • Maison des Arts/Library • Round table discussion - CODE2022 with CODE Participants presenting their finished or ongoing projects, followed by a Q&A.**

# LAUNCH OF DATA PROTECTION SCHOLAR NETWORK



Chances are you never heard about DPSN, short for Data Protection Scholar Network. CPDP2022 has the honour to welcome this new initiative for its physical launch on Monday evening the 23rd at the Library of Maison Des Arts. If you are a data protection scholar, we advise you to block that moment in your agenda and read the following interview.

**How did you come up with this idea and why? Why is data protection a top priority for academics in Europe?**

**DPSN** The idea of a network of data protection law scholars comes from realising there is already a great, vibrant, friendly community of data protection academics, but that this international community could be even better. Data protection scholarship has grown significantly over the last decades and is still growing – this is of course the normal reflection of the increasing importance of data and data protection law in our society. There are nowadays many people doing research in this field, and we are convinced it will be better for everybody, but also for research itself, if we take the time to exchange more and better. Data protection law as an object of research has itself also grown dramatically over the last fifty years, and we are convinced that best way to

advance scientific knowledge on key questions such as enforcement, or the relation between data protection law and other data laws, or the very meaning of data protection, is to further improve the quality and diversity of our international collaborations, in a reflective manner.

**How do you see the future of the Data Protection Scholarship?**

**DPSN** We hope the future of data protection scholarship will be more inclusive, at many levels. This means for instance helping young researchers get in touch with others, especially if they are based in locations not yet particularly well connected, or traditionally unfairly ignored, and giving them more opportunities to present and discuss their research. This can also mean working jointly on documenting and understanding the history of data protection law, which is still underexplored and cannot be fully apprehended from a specific national standpoint. Fundamentally, we hope that in the future we will have in place even better ways to integrate everybody meaningfully and make this field even more exciting than it is now, although it is already very exciting.

**Tell us more about the official in-person launch coming up?**

**DPSN** This year on January 28th (International Data Protection Day) the network had its first online meet-up, which brought together more than 150 data protection law scholars from all over the world (you can read a summary of the event on our website). The event was a wonderful opportunity for data protection scholars, both junior and senior, to

share ongoing research. Now that it's possible to do things in person again, we are really excited to officially launch our network in-person at CPDP2022. At this event we will introduce the DPSN and attendees can expect to meet its members, including many of its Steering and Management Committee members, and network with fellow data protection scholars in a very informal setting. We hope to also engage existing and potential network members in an open discussion about what such a network can do for them in order to facilitate their work in the field of data protection.

**How important are networking and having a community in this sector?**

**DPSN** Typically, data protection academics tend to be relatively well-connected to a broader community of privacy and data protection experts, which is very good. With this network, however, what we wish to nurture is specifically networking among data protection scholars, because we think that is also valuable.

**What would you like to take out from the CPDP 2022 conference and what are you looking forward to?**

**DPSN** We look forward attending the conference's many interesting panels and side-events, and of course (re-) connecting in person with the many data protection scholars from all over the world that are presenting or attending – we hope to see many of them at our launch event! ■

**Monday, 23rd of May • 19:00 • Maison des Arts/Library • Launch of the Data Protection Scholar Network (DPSN) • Places are limited, so please come early.**

## WHAT DO BELGIAN BEER, ARTIFICIAL INTELLIGENCE AND DATA PROTECTION HAVE IN COMMON? PETER BERGHMANS (CEO DPI) EXPLAINS

**How did DPI begin?**

**P** Peter Berghmans founded the Data Protection Institute (DPI) with the dream to inform and educate future Data Protection Officers (DPO) in the public and private sectors in the new General Data Protection Regulation (GDPR). Beginning of 2022, DPI have trained more than 2,000 professionals and present a wide range of GDPR courses in Dutch, French and English, making DPI the largest training academy in Belgium.

**How do people stay up to date with the ever-changing data privacy regulation?**

**P** First of all, DPI send out regular newsletters to keep students up to date with the GDPR. It is indeed quite hard for people to catch up because things in the data protection environment change quite fast.

A second initiative are the Stay Tuned sessions that DPI organize on a quarterly basis in different cities, and this in Dutch and French. With this subscription formula participants can follow four training days in one year whereby each training day is taught by two speakers who are top experts in their field. Moreover, in October 2022, DPI will organize an international Stay Tuned session in Brussels in English. Last but not least, DPI organizes on regular occasions a Privacy Café. This is a free network event that aims to create a meeting place for professionals working with GDPR. It is the ideal opportunity to ask questions, gather information and gain knowledge.

**DPI is present at the CPDP 2022 in Brussels. What will they show?**

**P** DPI will be present as sponsor at the CPDP congress in Brussels and will host its Privacy Café as side event on May 23rd 2022. Topic of this session will be beer, Artificial Intelligence and data privacy. So what do these three have in common? A moderator and three panelists with three completely different backgrounds but who share one great foamy love, i.e. beer, will stimulate each other with some interesting discussions on the topic.

Belgium is one of the world's leading countries when it comes to brewing beer, with a lengthy history and a cultural dedication towards the craft. As a writer, Master Beer Sommelier, and member of the jury of the World Beer Cup, Sofie Vanrafelghem will teach us how to taste beer.

There are many ways Artificial Intelligence and machine learning can make our world more productive and effective. Brewing beer is an art and a science. Artificial Intelligence offers a helping hand in both domains. Jan Paesen, founder of Viva Brews, will explain how consumer data helps to produce good beer.

The use of Artificial Intelligence in the "industry of taste" is forcing us to make sure the data are used in a way that is lawful, fair and transparent. Giorgia Vulcano, Global Ethics Manager and primary data privacy advisor of the global business of AB Inbev will explain how embedding digital ethics in the design process of new products will be essential to comply with the GDPR. ■

**Monday, 23rd of May • 18:30 • Area42: Privacy Café: Belgian beers and AI • Organised by DPIInstitute**

# GENDER-LESS, GENDER-MORE



Privacy Salon is running an Artist in Residence (AIR) program where artists are connected to the research of a partner organisation from the CPDP community. Generally the artists already work on topics like privacy, data protection, AI, social media or any other related subjects. Werk-tank and Impakt are two friendly art institutions that annually make a selection for one of these artist residencies. The artists receive a budget and are followed up professionally. The partner organisations don't always have the experience of jointly working with an artist. The kicking off of such projects is often prudent and with curiosity. This year Werk-tank and Impakt selected the Brussels based artist couple Effi&Amir who have been researching biometric surveillance, sound and voice technologies. Their work is strongly engaged and looks, for example, at notions like migration, dislocation, origin and belonging.

## WE DON'T LOOK FOR THE ACCENT-LESS, BUT THE ACCENT-MORE. OR ALL THE ACCENTS TOGETHER

**Within the context of this residency, you wanted to continue your research on voice technology. Could you explain what the genderless voice means to you?**

**E** We came across a voice which is called Q, which is a "genderless" voice. Why is it genderless? Because it has different parameters. What is important here is the pitch, which is in a zone between masculine and feminine. So, it's an ambiguous zone. Originally, we were intrigued by this idea and this is where our current project started.

**A** Furthermore, we wanted to touch upon predefined identities and categories. But what we encountered in our research was avoidance of identity by reducing the accents.

**E** Making a sound/voice with genderless characteristics is done in order to create something neutral, which we do not find particularly interesting. Ultimately, we started to create a whole new category. We decided to use all the information and voices and create our own 'Q'. However, we are not interested in the accent-less, but rather the plurality. It can be more than two. In other words, we don't look for the accent-less, but the accent-more. Or all the accents together.

**A** Both genders merging into one is less interesting to us, because it's still very binary. So, we are interested in creating voices which are multiple. They contain more, instead of avoiding categories. We are looking for results not by removing but by adding. I guess it is difficult to measure. One thing people are being categorised by is their accents.

Or a categorising system will choose something as either good or bad

**E** So that's currently our theoretical assumption. We still have a lot of practical and technical questions and we don't know how it will sound in the end.

**Can you tell us more about what we can expect from your installation at CPDP 2022?**

**A** We show sequences from the installation called Places of Articulation: 5 obstructions. The installation contains five monitors with five short videos, each one is a sort of testimony. From something that is called shibal, which is a linguistic term. It is an indication of where the person belongs to - this or that community.

**E** By presenting this work to the CPDP community, we try to get in touch with people who are in a process of thinking about the binary systems, non-binary systems or how this multiplicity can function within that person's field of expertise, or even globally.

**A** We are interested not only in finding practical collaborations, but also in getting more inputs because there would be some interesting ideas out there that can help us with our project. Maybe discussions at CPDP will give us answers to questions like: How can our work resonate in certain situations or applications? Or does it echo with other experiments that were done with multiplicity?

**What will you be looking forward to at CPDP?**

**E** We are looking forward to open

discussions and enlarging our knowledge and sharing our experience too, giving back to the community.

**A** What we hope is to meet some people and talk about our idea of the genderless voice. We are in an experimental stage, which is an interesting time to be made aware of certain technologies or applications that are new and relevant to us.

**E** But also the philosophical approach. We are quite convinced that certain conversations at CPDP can widen or extend our conceptual thinking about this issue. For example our perspective towards databases, or the idea of continuing fully or partly artificial. For example, we want to develop an endless voice with endless vocal varieties. There are different approaches, so we like to hear what comes to people's minds, especially since this community is so focussed on technical and ethical solutions.

**What makes this topic important? Why is it helpful to discuss and look for opinions and ideas?**

**E** We humans usually tend to categorise and define our world in a system that conforms to our core tenets. Let's say it's a human necessity, but in a digital world it's really accentuated, and I think it's impoverishing.

**A** With this concept, we want to try to escape categories. In today's digital world, there is this sentiment that one should aspire to fit into categories. It is obliging us more and more to add tags all the time, to select this or that, even if we have 20 possible responses.

## IT COULD ENABLE GROUPS TO CREATE THEIR OWN VOICE, AND CREATE THE POSSIBILITY TO SPEAK. NOT AS AN INDIVIDUAL BUT AS A COLLECTIVE

**E** But on another level, in a data-driven world like today, every part of our body, every part of the thing that we do becomes the data. That is also the case for our voice. What we're trying to do is find ways to avoid this. How do we protect ourselves?

**So what would be this voice?**

**A** Your non-gendered voice, I guess. But it's not only about gender because our aim is to include the 'all'. I mean, if we were two men or two women, it would be the same question: what would be a voice spoken as a unit? It is interesting in our case because we are an artist duo. Imagine, in an interview, what would happen if we could speak to you in the same voice and you would not uncover if he or she answered (Efi or Amir)?

**E** It's interesting because of its practical potential. It could enable groups to create their own voice, and create the possibility to speak. Not as an individual but as a collective. It brings us to the next question: how do we create this voice? What are the specific parameters to use? How do you create combinations? Does the emphasis lay more on the mathematical or sound elements? Is it a combination? An average?

**What is your background in the arts?**

**A** Our background is in fine arts. A large part of our practice is the creation of film installations. You also have to know, we come from Israel where the language issue is something very present in the public sphere. By entering Israel you are often confronted with checkpoints. Not only at the airport but also on the road. The first line of control is the voice. Security personnel are

asking you one or two questions just to know how you react and how your accent sounds. If it doesn't fit, more and more questions come your way before you might pass a checkpoint. It is a test that is applied every day. At some point, we had a residency in North-Ireland where many similar stories from The Troubles era came to our attention. It was the start of this whole research.

**E** We don't have a linguistic background. I think we just love languages. Amir is also an Arabic language teacher. We don't speak a lot of languages, but in our daily life - like everybody - we are often moving between languages, we do it automatically.

**In your opinion, where does this urge to categorise people come from? Is it safety, trust?**

**E** This is how the brain works in a certain way. From our childhood, from birth, we are capable of pronouncing all the sounds in the universe. We start to hear sounds around us in the first couple of months. It is quite interesting how this vocal cavity is shaped by the sounds that it hears, categorises and puts into play for strategies of mimesis.

**In a recent fictional documentary 'CHANCE' you follow four migrants in a trailer who want to cross the North Sea to enter the promised land in the UK. In other work you often did research about the relation of technologies and humans. There is always a strong engagement present, warning viewers for certain dangers. Do you think - for example when it concerns the organic sense of language, accents, voice - elements are getting lost the more technology advances?**

**A** We already mentioned the issue of impoverishment. Reality is much more complex though, and we live in challenging times. Refugees - or other persons who decide to migrate - are moving from one place to another, spending five years here, five years there. Especially refugees...

**E** ... they are set for a long trajectory. They move to all kinds of temporary places where accents are already different. Words are picked up that don't belong to their local dialects. So the attempt to fix something - fix an identity or fix a language - remains unabsorbed because language and mother tongue are dynamic from the start.

When it concerns technology, a lot of responsibility is being yanked off. The human factor is being delegated to the responsive procedure of a mechanical device. If you want to protest, it becomes difficult for the employee operating the device to say: the machine must be wrong. How do you explain that to a computer?

**A** Yes, generated judgment. Should we rely on applications if we know they are partly not right?

**E** The computer always relates to the quantitative, numbers, facts. A person's judgment always relates to feelings. The latter is being considered as something that is not very accurate. A computer will come up with a list of probabilities. For example, it would read a voice and say: 55% of that person is from Syria, 35% is from Iraq. But what if the real identity of that person - how this person feels - is 100% from Kurdistan? ■

**Exhibition/booth • Open: all day, every day • Area42**

## ADVERSARIAL INTEROPERABILITY: CONTROL YOUR YOUTUBE RECOMMENDATIONS WITH YOUCHOOSE.AI

How do we make interoperability a reality, before regulation? Tracking Exposed's free, pioneering browser extension lets YouTube users and creators control the recommendations on their videos - without input from YouTube.

In this talk from Margaux Vitre you'll learn what Tracking Exposed's tool can do, how to install it, hear about the vision for YouChoose, and how you can get involved. YouChoose.ai is a free software project built by Tracking Exposed, a non-profit that investigates influential algorithms.

Algorithmic bias on YouTube is well documented, but for the first time, [YouChoose.ai](http://YouChoose.ai) offers a solution to these problems using adversarial interoperability that doesn't rely on regulators or YouTube.

This talk is for anyone interested in algorithmic transparency, including journalists, researchers and regulators who might want to collaborate, and YouChoose users and creators. Suitable for a non-technical audience.

**Tuesday, 24th of May • 17:15 • Maison des Arts/Library • YouChoose, leverages adversarial interoperability to introduce alternative recommender systems on YouTube. Speaker: Margaux Vitre**



## AI JUSTICE MATRIX: THE FUTILITY OF POLICY CRAFT

Yasmine Boudiaf is a researcher and technologist focusing on AI, epistemology and the absurd.

She was named as one of 100 Brilliant Women in AI Ethics™ 2022 and is a fellow at the Ada Lovelace Institute and the Royal Society of Arts. She organises with No Tech for Tyrants and fundraises for social causes. Previously, Yasmine founded and ran a consultancy with corporate clients as well as public sector organisations. Her artistic practice is a mix of performance, computation and writing. Yasmine has no regrets. Yasmine is down to clown. Yasmine's friends describe her as "not really a friend but someone I know".

The AI Justice Matrix platform is an interrogation of "AI Ethics" that invites the perspectives of practitioners concerned with the mechanics of knowledge formation that affect our relationship with technology. It treats all sources and expressions of knowledge as valid. It offers issues to consider when contemplating AI practice without necessarily offering an answer.

The project was developed as part of Yasmine's JUST AI fellowship at the Ada Lovelace Institute, Funded by the Arts and Humanities Research Council.

Fundamentally, this project refutes the notion that effective policy making, as it relates to AI ethics, is at all possible. It's critique of Euro-centric knowledge processes and the way they manifest as curated information flows passing through sanctioned knowledge keepers. It is intended as a tool to playfully undermine the validity of research practices that inform public policy.

The online platform is a collection of themed nodes, that when clicked, expand to reveal content relating to that node's theme. It is an ongoing process of enquiry that exists in the commons, shaped by contributors concerned with the relationship between technology and society.

**Exhibition • Open: all day, every day • Maison des Arts/veranda**

**Art performance lecture • Tuesday, 24th of May • 16:00 • Maison des Arts/Library**

**Workshop • Wednesday, 25th of May • 10:30 • Maison des Arts/first floor**

# THE NOTION OF PRIVACY IN HISTORY



The research focus at The Danish National Research Foundation Centre for Privacy Studies (PRIVACY) is historical. However, juxtaposing past and present privacy challenges has proven to be a fruitful exercise. Privacytopia, together with the center's Director Prof. Mette Birkedal Bruun, are laying the foundations to develop a holistic art-historical exhibition on the idea of privacy. Meanwhile, the Center's Prof. Maarten Delbeke asked two researchers - Niloofar Raoli and Damla Gore - to enlighten the CPDP audience with fascinating research topics that also form the basis of certain principles for the upcoming project exhibition.

**Can you tell us what your dissertations will be about at the upcoming CPDP 2022?**

**D** My dissertation is about the saloons of the late Ottoman Empire. I will try to understand the myths surrounding the "harem" to better understand their implications on late Ottoman societies and historicise my findings. I will investigate the modernisation period of the Ottoman Empire and how it is translated and transformed into modern Turkish interiors, including how that transition affected gender dynamics at the time. I am examining the intersection of material culture and understudies by using etiquette books. I want to investigate how this literature about etiquette instructed or negotiated the Western norms of domestic living. At CPDP 2022, I will analyse these etiquette books written by a male Ottoman writer and use other articles dispersed among women's magazines during the same period. I want to try to understand how these two sets of text overlap and contradict one another. How do they speak to different audiences and negotiate these boundaries of public and private?

**N** After studying the historiography of architecture at the University of Tehran, I worked as a journalist for three years, mainly analysing issues related to the inequality of women. I also covered women of Afghani origin holding a residence in Iran, a topic I eventually based my master's thesis on. My Ph.D. fellowship will follow my master's thesis. The core issues I will be presenting at CPDP 2022 will revolve around the

current situation in Iran: the gender segregation in the public sphere and the radical reactionary movements against the resistance of women, and specifically against gender segregation. My focus is on contrary narratives of these countries, looking at sources of public space being divided for example, through gender. Segregation is about subjugating and oppressing specific groups of identities and similarly, those subjugated and addressed identities often return and reclaim the thing that had been previously taken away from them. The Islamic Revolution in Iran began 40 years ago, and the Iranian government is trying to use gender segregation movements as an example. The government is passing laws that restrict gender segregation while hiding behind the excuse that such laws will "provide privacy for women." The nationalists before the Iranian Revolution of 1979 were talking about how to present Iraq in the style of Iranian architecture before the modern era. At CPDP 2022, I will mainly discuss the following topics: how the translation of Maharana, an Islamic conception of privacy, is not only academically problematic, but also socially problematic, as it can be used by different Islamic regimes as an ideological tool to marginalise certain groups of people.

**Looking back over the centuries, in both of your subjects and studies, people have always been interested in privacy. Do you think that the notion of privacy is achieved differently today than during other eras?**

**D** In the literature that I am reviewing, there emerges a very loose form of public agreement set in society. I will look at how the late Ottoman government punished those who transgressed private privacy rules, which at the time generally led to public shaming, as according to the dicta of the code of etiquette. The understanding of how privacy works in an optimal society is often based on Western society, and the norms developed for a business environment. This clash between traditional Ottoman norms and modern Western ideas will be examined - it is an understanding of privacy and public life examined through many, many layers.

**N** I am looking at privacy, which inevitably turns into privacy politics. My aim is to deconstruct this concept: What is privacy? How does a conception of privacy evolve into a politics of privacy? I would like to highlight that it matters whose privacy we talk about and understand who the decision-makers are. We humans do not have one definition of privacy, and its definition can also be historically changed and altered, so it ultimately depends on what the regulations in politics in the public sphere are, and whose privacy we are talking about. Does the person have a claim over his or her privacy?

**What do you think has changed over time, from that era until now?**

**D** I will try to make these links between the past and present in my discussion at CPDP 2022. I will look at the remnants of privacy and sets of rules formed around privacy from Ottoman times to

## I PUT MY HOPES IN THE POWER THAT CAN COME FROM THE AGGREGATION OF PEOPLE

the unspoken rules that we see today. This surpasses the internet and looks at privacy protection in a different way.

**N** During my bachelor's degree, the unfiltered version of Facebook was becoming a trend in Iran. Universities in Iran are the only educational spaces where there is no female-male segregation. It was a space where the two sexes were able to walk to class together, not pressured by the societal stigmas. Nowadays, Facebook, Twitter and Instagram are among the most popular platforms in Iran, and all except Instagram are filtered, although this is also being debated currently in Iran. This situation shows the complexity of privacy because your own privacy is not, as far as I know, about trying to protect your own information. In Iran, even publicly asking the question 'What is my privacy?' is something the government hardly allows. On the one hand, these platforms and applications are giving some open space for individuals to express themselves, but on the other hand, the regime is becoming stronger and stronger as it is learning how to oppress through these platforms with large audiences.

**So, in other words, governments are always finding new ways to figure out how to use these platforms for their own agendas?**

**D** In addition to what Nilofaar says about expressing your individuality, it matters if you can post your personal opinions, in some way it is about expressing your individuality as well. In Turkey, you can post something about the individual but not about political orientations. For example, I would be very afraid to tweet or

post political texts on social media, because of those who have been arrested for this reason. In the event that one is not arrested, it is still possible that your social media accounts are being analysed by the government, for example when you apply for a job. Although the public sphere looks very open in Turkey, it is difficult when you cannot express yourself and your political beliefs.

**What do you think about today's representation of the media in your respective countries?**

**N** I put my hopes in the power that can come from the aggregation of people. From what I have observed in terms of gender segregation in Iran, you always receive the representation of the media, and observe the segregated spaces between these representations. It goes as far to say that the historiography of Iran, or those hidden histories, are the stories that are always happening on the margins of those segregations. For example, a few art students from my university told their story of sexual harassment and were quickly ridiculed for this. Overall, society does not support women against sexual harassment or violence. When Twitter and other platforms arose, people started to open up more and talked about all types of taboo subjects. Although nothing really changed in politics, it was very beautiful because this opened a very forbidden discourse. I remember a journalist who was accused of sexual harassment. After the public grabbed hold of this information, he was so ashamed that he resigned. This was the beginning of a small change - I really see the necessity of highlighting

and amplifying radical moments.

**D** The protests in the Arab Spring constituted a transformational moment. These protests happened through mass gathering, where social media played a large role. I can still see that in the public sphere of social media, people are now again expressing their anger and frustration over oppressions. What creates these blurry lines between the public-private sphere of social media is important to explore in order to observe how things are evolving in society.

**What are you looking to take out of the CPDP 2022 conference?**

**D** I am sure it will be mind-blowing for me. What I understand from privacy and etiquette are in very different realms, for I believe that it will help me gain insight for my project.

**N** The idea of going to CPDP to exchange thoughts on how we all might have different definitions for privacy is interesting! I don't believe that it is possible to have just one definition of privacy, because it is often contextual and strongly depends on history - I think that this will be a very interesting exchange. ■

*Monday, 23rd of May • 10:30 • Maison des Arts/Library • Lecture by Damla Göre (Institute for the History and Theory of Architecture): Privacy and space in etiquette literature: Ottoman-Turkish adab-ı muaseret (1894-1923)*

*Monday, 23rd of May • 11:45 • Maison des Arts/Library • Lecture by Nilofaar Rasooli (Institute for the History and Theory of Architecture): Privacy Without Its OF: The Politics of Gender Boundaries in Iran*



# THE NEW AGE OF WORK

THIS INVASION OF PRIVACY CAN BE OVERWHELMING, AND MANY BELIEVE THAT MAYBE, IT IS BETTER NOT TO CARE

Marijn Bril was invited to CPDP 2021 as an artist fellow by IMPAKT (Utrecht), Werk-tank (Leuven) and Privacy Salon. During last year's virtual conference, Marijn presented her work-in-progress titled 'Watch Me Work' while engaging in studio dialogues with a variety of conference presenters, each boasting backgrounds in privacy, robotics, and law.

We asked Marijn what it takes to create such impactful installations about the workplace surveillance culture that is prevalent in today's overwhelming work environment. Bril says, "my work focuses on well-being and asking how to disconnect and recharge." A critical theme of her newest installation centers around the feeling of being overwhelmed, overwatched and overextended in today's work culture and the power of the language that comes with it.

Bril asks the audience to consider the following questions: How can we quantify increased workplace surveillance? Why do we measure our work output? How does the quantification of labor inform us about our privacy perceptions, and how does this affect productivity? Is it possible that surveilling and monitoring employees, and subsequently comparing their relative levels of productivity, will result in a sense of futility

and hopelessness among the individuals in the workforce?

Our personal data is valuable. Not only do the fragments of information directly related to our lives serve a purpose to advertisers. Now as the workplace has become increasingly virtual, our work lives produce new streams of data that employers can use for their own motives and objectives. How many hours does one work in a day? How much time does the average employee spend on non-work activities? In person, an employee can tell if their boss is watching over their shoulder to see if they are doing their job. This is a far cry from the modern virtual work environment wherein an employee's output is quantified and their daily activities on company property are monitored. The fact that employees do not know which of their activities is being recorded by their employers is worrisome. This invasion of privacy can be overwhelming, and many believe that maybe, it is better not to care.

In last year's residency, Bril notes the idea of the digital landscape, Gather. town at CPDP 2021 originated from being overwhelmed. "By using screens as an object, I try to show the dualism of it, in a sense that we use the same devices with different functions. In the home office context, the idea of working and using the same device to carry out a different use is blurred. Using screens dissolves that border too."

Marijn is currently completing a media studies program in Maastricht that focuses on digital culture. "My focus is shifting, design school and looking at digital culture moved towards

theory. With a practice-based approach, I have become more of a thinker than a maker. I am interested in discourse-oriented projects. This artistic research came out of CPDP as an artistic research project. How do we look at productivity and value systems?"

Bril continues, "this year will be very interesting, the viewer will see and hear a collection of notification sounds and emails. I will be looking at tangible productivity in the current email culture. The installation will hold three characters that reply to their e-mails. The concept is about living in an "overwhelming" value system.

Workplace surveillance is a contemporary topic and there are lots of different experts discussing ideas of the workplace thematic. Especially those who are working from home, and have systems and bosses controlling our work to see what we are doing.

"I begin with using the "outlook" email provider, and the way it surveils what you're doing, how many emails you sent, response time, and everything. I call it "quantified nitpicking," because it is looking at how many emails were sent during that day, it is all calculated and can be analysed."

When asked what Bril would like to take out from this year's CPDP, she states, "I am the worst case study, therefore I am curious to see and hear how people feel about their workplace." ■

**Exhibition Marijn Bril • Open: all day, every day • Area 42**





## BLONDY BROWNIE IS A PRODUCER/ DJ DUO FROM BELGIUM, CONSISTING OF THE TWO FRIENDS AURÉLIE & CATHY

Belgian Pop Dance Duo Blondy CPDP resident DJ's at the annual In order to fully prepare you for you - together with the full privacy assembled in Brussels - on the dance floor on a Tuesday evening (no less), Privacy Salons Annette Monheim took the time to meet the twosome at their studio in the lively Ixelles neighborhood in Brussels. They shared heartfelt sentiments about their emergence onto the music scene, their journey over the years, and how they prepare for gigs.

Bronnie have been the Mozilla parties since 2019. their sincere ambition to get and data protection community

The singer-songwriter, multi-instrumentalist duo began releasing music on Soundcloud in 2013, Their early releases mainly consisted of original sounds made on XXX. Aurelie and Cathy love to dance along with the beat. Cathy's unique vocals blend seamlessly with a mix of bright funky pop beats. Aurelie plays the drums, trombone, clarinet, and keyboard, while Cathy plays the drums, trombone, and saxophone. The only instrument missing is the guitar, but Aurelie "our next step is to incorporate the guitar into our music." They improvise when exposed to crowds that are not familiar with the group's music. The duo produces, plays, and records all of their own songs, mainly at home. This year marks the third time the duo will play at the Mozilla Party at CPDP 2022.

Aurélie and Cathy met on a dance floor at a party in Brussels, and soon thereafter they began to play music together, which eventually morphed into vibing DJ sets. "I think we now have more DJ sets than concerts, our motto is: If we are free, we can do it," says Cathy. Their music name came from both their hair colors, "we were looking for a name and since Cathy is blond, and my hair is brown, and because it is a type of cookie, we said oh that's fine because it's the name of cookies, and since music and dessert give satisfaction, voila!"

Because their respective personal schedules can sometimes be hectic,

they have to turn down many invitations to perform. They also spend a lot of time in the studio, constantly striving to forge their own unique sound. "Our style of music revolves around a pop beat, but it is not pop music in the English way, but rather the Belgium way. When you say pop music, it just means that it has great melodies and vocals, but it's not usually played on the radio stations," says Cathy. Blondy Brownie cares about the melody that gets people off their feet. "It is a type of dance music meets funk and pop vibe we aim to portray, we just want people to be dancing. It sounds a bit cheesy but we feed off of people enjoying and dancing along with the music" explains the duo.

When asked about legal matters and copyrights in the music industry, they got their fare share of stories. Blondy Brownie recently ran into this issue during their latest collaboration with a well-known artist: When they began to work together, the artist's label contacted them and told the group to drop the project. Although both parties wanted to own mutual copyright on the song, they had to trash it after finishing the record. Instances such as these occur frequently in the music scene, rendering it difficult for artists to pair up with labels and even other artists. "It was stressful because it was a great experience and only after the recording of the song did it come out that we were not allowed to use it nor promote it," says Cathy.

Following a busy winter / spring period highlighted by performances at Speak-Easy and La Java in downtown Brussels, the rising female duo made their label debut with their latest single, "Immensità" (an Andrea Laszlo De Simone cover). When asked how they prepare for their sets, the duo responded, "we like to consider ourselves psychologists on the dance floor, we feel out the vibe and play what we feel would move people to dance. Believe it or not, but it works, we try to adapt to any scenario." Aurélie notes that she prepares sets by checking new sounds and looking into their DJ portfolios. "I do prepare sets constantly, always working on getting comfortable with the tracks, enough to be able to play them out, but at the end of the night, you never really know what will come to you. The club, the crowd, this suspended moment in time where everything seems synced, puts you in a good vibe. I'm curious what the CPDP crowd will bring this year!"

Towards the end of the interview, the duo begins to talk about life and creativity, explaining that they are fully blended, "without a doubt, the most satisfying feeling is always when the club has to close and the audience wants to keep on dancing - it is such a bittersweet feeling." ■

**Tuesday, 24th of May • 20:30 • Area42: CPDP Party organised by Mozilla 'You've got the love'**

# CPDP GLOBAL



Paul de Hert, Founder and Director of CPDP, and Bianca-loana Marcu, Managing Director of CPDP, discuss the importance of keeping up with constant shifts in technology, and the launch of CPDP Global.

## How did the idea for CPDP Global arise as a natural addition to CPDP?

**P** After last year's COVID-19 experience, we, as a creative organisation, tried to recreate the CPDP experience and atmosphere in the virtual realm. The team used software and technologies that were tailored by engineers for the needs of the CPDP audience, and created Gather.town. We took the opportunity to play to our traditional strength to be creative, but also to touch base with the creative community. Gather.town became a virtual landscape and still acts as an example of how we visualise the conference to adapt to the changing needs of the CPDP community.

CPDP has tried to be genuinely global in scope, as seen through certain panel discussions over the years. We have experimented with the idea of consolidating and highlighting the changes in the global landscape of data protection, privacy and technology through panels in

Germany, India, and Latin America. This was a particular success in Latin America, through which we now have CPDP LatAm. The COVID-19 experience and taking CPDP virtual pushed us to further appeal to a global audience - and this is how CPDP Global was born.

Of course, the live, immediate interaction is crucial and cannot be fully apprehended only through a screen. The tension in the audience, the group dynamics, and the growing privacy community are central to the CPDP experience - combining the in-person conference elements with a virtual CPDP Global track as part of the main programme allows us to experiment with the changing landscape even further. The fact that every year more and more participants come back to Brussels is beyond imaginable and we, as a team, want to extend the old magic from the physical venue towards the online realm through CPDP Global.

We will integrate different models and styles of CPDP as an international conference, so CPDP Global will follow the rising sun. The programme starts in Asia in the early hours in Europe, and ends in Latin America by the evening. The Brussels audience will be able to follow it all. This experience of CPDP brings us beyond EU data protection, and expands these important themes globally.

## What makes CPDP different from other data protection and privacy conferences?

**P** The idea from the start has been that in the political data protection capital of the world, some academic contribution was necessary - not necessarily in taking the spotlight, but mainly in organising the debate and becoming a full stakeholder. So with full respect to all other conferences, CPDP is an academically supported conference of a wide variety of stakeholders. It is not an academic conference, but there is an impressive league of academics supporting it,

## THE IMPORTANCE OF KEEPING UP WITH CONSTANT SHIFTS IN TECHNOLOGY

organising it, and being part of the Advisory and Scientific Committee safeguarding the debates.

This set-up is reflected in the quality elements both in the organisation of panels, but also in the plurality of speakers, something which was needed in the debate. Equally, there was a need to focus on, and connect with, the EU agenda, which is always five years ahead of national agendas. Today, 15 years after its inception, CPDP is a forward-looking conference looking at what is coming towards us at the European and international level, allowing deeper discussions around how we will regulate, shape and organise our technologies in the best possible way, and taking into account European values.

## Bianca, how did your journey with CPDP start and what, in your opinion, makes CPDP different from other data protection and privacy conferences?

**B** I had attended CPDP in my previous life, while working in advocacy and data protection, so I essentially began my work at CPDP with the full attendee perspective. Just over a year ago, I came in as Managing Director, picking up from Rosamunde van Brakel's fantastic work and legacy in making the conference what it is today. As an attendee, I always admired CPDP as a space where the atmosphere, the people, and the way that the panels are designed lead to truly fiery discussions and difficult questions.

In particular, CPDP Global is an exciting and necessary addition. From the fully virtual CPDP conference experience in 2021 we found that a new kind of audience from around the world suddenly had access to the breadth of knowledge that is available at CPDP while not being

able to travel to Brussels. It's very important for us that this audience continue to have access to knowledge and can participate in the debates happening here.

The organisation of CPDP has to reflect the incredibly interconnected world we live in, and this is no exception when it comes to discussions on data protection, privacy, technology and our digital futures. For this reason, we want to continue to highlight increasingly global approaches and highlight the differences in perspectives that can shape and unite the debate.

## Why should the topics of the conference concern us all?

**B** I thought of how to answer this question many times. In today's transitional times, and especially since the onset of the pandemic, emergency measures have pushed society into an intensified adoption of digital solutions. With work-from-home orders, online education, digital vaccine passes, and border closures, our increased dependence on vital technological infrastructure continues to be fiercely debated. I think the allure of efficient algorithms and artificial intelligence systems brings society to a pivotal moment where we have the opportunity to collaboratively set an agenda for the governance of such systems and technologies. The act of debate and reflection on topics that will continue to affect us far into the future should indeed be of concern to us all.

Reflecting on the dynamics of decision-making when it comes to technology design, development and adoption will also push us to come back to some of the foundational questions: how do we create laws and standards that help

us address new challenges and protect fundamental rights? How can we collectively design our digital future? I believe that these are questions which are not only extremely pertinent for the CPDP audience, but also for citizens.

**P** I would stress that it is a part of all of us. What we do at CPDP is touch on a series of concerns and preoccupations that are very vivid in society, current debates, and so on. Tomorrow, will we still be driving our own cars, or will the cars be driving us? What are our ideas about the future, and our ideas about the role of technology in it?

Artists and authors pose many of these questions in their works and reflect on this future. CPDP wants to bring those together with perspectives that might inform us on the possible answers to that. So we have also had a very good experience with putting artists, political scientist, students and young people in panels. This effort is also visible in the Scientific Committee of CPDP, where there's a wealth of knowledge interested in even better understanding privacy, data protection, and the values that are connected to it. So it's like a reflection on climate change - it's necessary. It's a question of identity, and one of representation in the digital sphere. That's what is at stake. ■

*Tuesday, 24th of May • CPDP Global is happening online. This part of the conference is accessible through registration. Everyone who has registered for the physical conference in Brussels, did receive a registration code to join online. The sessions will also be projected at La Cave (Halles de Schaerbeek) where you will be able to interact with the speakers during the Q&A.*



# SECURITY DISTILLERY

The Security Distillery is an initiative from students for students. The student-run think tank aims to turn complex issues into simple matters in order to provide quality and accessible information for students and researchers. This year, the Security Distillery will be launching its online magazine. Security Distillery's Apolline Rolland and Mara-Katharina Thurnhofer speak to us about their work and what the viewer might expect at CPDP 2022.



The Security Distillery is permanently present at CPDP with a team of young reporters: Names. They have a recording studio at Maison des Arts where they will organise interviews with many of the speakers, artists and guest who are present at the conference. They will regularly pop-up as flying reporters, measure the temperature at CPDP with a microphone at hand. Feel free to approach them or hunt them away if they behave as paparazzi.

**With what mission and objectives was the Security Distillery set up? Can you tell us more about your involvement at CPDP?**

**A** We reached out to Thierry, the co-director of Privacy Salon, about a year ago because I had done an internship at Europol, where he was taking care of the artistic aspect of the Data Network conference. At the time, I was in charge of the event organisation team of the Security Distillery. The event's goal is to simplify security matters and find other ways to give students an opportunity to produce work, publish it, and provide visibility to what they do. We thought it would be cool to provide a bit more of an artistic perspective because it's not something people often think about when discussing the security industry, yet art is actually present. For example, when

you conduct red teaming exercises in the security industry, you try to find new scenarios of potential threats, which sometimes lead to integrate science fiction-like scenarios. Originally, our idea was to find artists who would help us do an event on red teaming or similar (new) approaches.

**M** After talking with Thierry, we realised that much more could be done. Thierry offered us a chance to participate in the CPDP 2022 conference, and bring together a community of students with the aim to create content. We want to focus on the chance to network, and a chance to bring creativity to CPDP 2022. It will give us an opportunity to think about the issues of data protection and privacy differently. I think the last objective would still be in the distillery's mission: How does the audience democratise privacy issues?

**Can you tell us more about the SD magazine launch?**

**A** At CPDP 2022, we will focus on podcasts and on launching our SD magazine. The group working on this will focus on the content, and myself and another student will be working on the SD web platform. We tried to keep in mind that the Master's program is funding most of the participation, students will only have to pay for their plane tickets



## ULTIMATELY, WE WANT TO BUILD A PLACE WHERE MANY PEOPLE CAN FEEL INCLUDED AND ENGAGED

to Brussels so that we can keep this as an inclusive project. With the online magazine, we want to include people who may not have been able to go to the conference. Ultimately, we want to build a place where many people can feel included and engaged in privacy and data protection.

**M** As Apolline mentioned, we had a short round of applications about ideas for the conference and picked five people with quite a variety of ideas. For example, we have chosen a candidate that will be looking at the impact of movies about cyber security as a broad topic. She wants to interview people about common Hollywood movies about cyber security. She's combining different philosophers with data products, data protection, and online identity.

**A** We also have one person working on data protection and privacy in the so-called Third World. It's an intriguing perspective because it's not something that is often discussed in the security field. In general, it's a very diverse group. We have people from the Netherlands, Italy, Germany, Pakistan, India and Canada. The international aspect is essential in order to tackle these issues from different perspectives.

**M** It was important for us in content creation. On the one hand, we have classic article-writing parts and otherwise: creativity. They were thinking of letting people create their digital avatars. The idea is only in its beginning stages, but we urged students to think outside of classic notions of writing articles as a mode of information sharing.

**A** I think the point is to build something informative, well researched, and something that is a bit more fun for students to get involved with. Just getting out of the usual, day-to-day academic life.

**How important is it for people to access this kind of information, especially students and researchers, and why isn't it as easily accessible?**

**A** As political science students, we have

the opportunity to look at different issues. When talking about data protection and privacy issues, the programs that tackle these topics are predominantly the Computer Science and Law departments. However, we have an opportunity to look at this not only from an International Relations standpoint but also to look at the legislative and technical matters.

**M** I think one of the main goals is to engage people from outside academia. We have different social media platforms with the Security Distillery. So, even during the conference, we are trying to get younger people outside of academia interested in these topics. It's a topic that everybody talks about, but in the end, most know nothing about it. Where does it matter for people? Why should we talk about data protection and privacy? Well, because there are so many other variables beyond just data protection. Data is everywhere, yet that knowledge is not accessible because it's very technical, and that's why the multidisciplinary perspective matters so much.

**In other words, does data protection and privacy surpass all borders?**

**M** Yes, exactly!

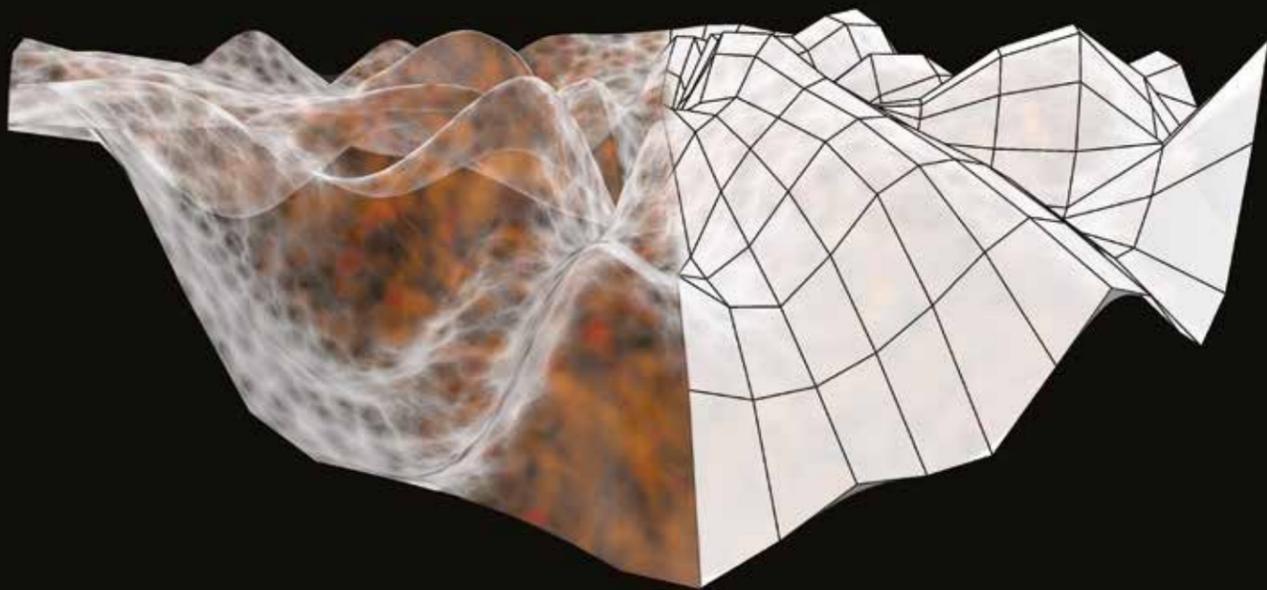
**This leads me to my last question: What would your team like to take out of the CPDP 2022 conference?**

**M** The networking, of course. As Apolline said before, due to Covid, there was almost no networking in person, and therefore, there will be space for people to hold conversations and debates about many issues concerning data and privacy.

**A** CPDP's artistic aspects on the topic of data and privacy is particularly special, and I think it's an excellent way to engage students in a fun way. We hope that with the project that people are working on, we will have genuine conversations with the participants and get their professional and personal intake. ■



# TAIETZEL TICALOS



For each edition of CPDP, Privacy Salon invites an artist to develop a cover image for the brochure. This year we invited the artist Taietzel Ticalos. She is a visual artist based in Bucharest, Romania, working on topics such as security, data and bigtech.

Her current practice researches the transmutation of reality into the virtual space and contemplates the development of digital narrations. She focuses on sexual objectification, social media as consumer media, digital performance and digital reenactment. Between 2014-2016 she coordinated - together with feminist artist Gabriela Mateescu - the mobile group Nucleu 0000, an unbound collective of young Romanian artists. Since 2019, they jointly manage the digital art platform spam-index.com.

The cover image of this program is a selection of stills from the video *Shapes of Regret*.

**How did you come up with your artist name?**

**TT** When I was a teenager, I chose this to be my ID/Handle name on a social media platform.. It was something I came up with before I became an artist. You could translate it to Villainous Noodle...

**Can you tell us a little about your project, *Shapes of Regret*?**

**TT** The original art video '*Shapes of Regret*' was made in 2018 for the exhibition 'Where do we go from here?' curated by the group Aici Acolo (Translated: Here There), which had a focus on the practice of mapping. At that time, I was going through the 2006 AOL data

leaked files of user's searches. A few months earlier the Cambridge Analytica data scandal was revealed. My interest was obviously directed toward data leaks which - I noticed - were followed by a new type of apologies by CEOs. The apologetic audios came from Facebook's Mark Zuckerberg, Kazuo Hirai from Sony, Alex Cruz from British

## THE COVER IMAGE OF THIS PROGRAM IS A SELECTION OF STILLS FROM THE VIDEO *SHAPES OF REGRET*

Airways and Marissa Mayer. They were mapped on different flat surfaces through a sound effector which produces abstract 3D forms. Though I had no intention of continuing this project, the video ends with the ironic phrase 'To be continued...'

The visual chosen for the CPDP brochure cover represents the shape mapped with the apology of former Yahoo! CEO, Marissa Mayer, taken from Mayer's testimony in Congress. She was asked to testify there after two major data breaches reported in 2016 that impacted all the Yahoo! accounts. I've named the shape '*Sincere Apologies*' #2, because she put an emphasis on the word 'sincere' while apologising. All four *Shapes of Regret* used in the video have a different title, referring to the analyses of the apologies, how they were made and structured.

**What were your motivations for becoming an artist? On your bio it says that you do not have an art degree, how might this rather help you with your practise?**

**TT** It was just a set of coincidences and circumstances that brought me to the art scene. I had no plan or intention to become an artist. In Bucharest I became part of the art scene, but more as an outsider at first. Friends from the scene encouraged me to start developing my ideas into creative output. They rather pushed me in this direction. The fact that I didn't have a degree in Arts was rather liberating to me. I didn't feel pressure to live up to the idea of 'becoming an artist', which turned out to be an obstacle for peers who did have a MA degree.

I have always experienced art as a learning process tool and a way to widen my perspectives. For example, I started

coding and learning creative applications, using them as a tool to express myself. Today I reached a point where I'm less limited by technical skills and the focus is more on the development of ideas.

**When did you realise art was something you wanted to pursue and how did you start?**

**TT** In 2014 Gabriela Mateescu - with whom I now manage the platform spam-index.com - decided I had to be part of Nucleu 0000's first exhibition. She was very excited about the idea of this underground art collective, which she saw as an untethered group of young Romanian artists. They didn't have experience with commercial art galleries and felt that a collaboration would broaden the network and expand the potential for exhibitions.

After the first show, we kept making projects together. Generally, we curated our own shows for unabashed self promotion, trying to get the Nucleu 0000 artists to jumpstart their careers. Being part of a group in Bucharest helped me a lot. It allowed me to get the necessary feedback.

Around that time, I started working with graphic editors and 3D software. I became generally interested in digital art. This was also the main motivation for starting spam-index.com, a platform dedicated to Romanian digital artists.

**What and who inspires you?**

**TT** There are many factors that come into play in the process. I see my works as very subjective, so I mostly go for topics I identify with. But sometimes, the exhibitions I get invited to have certain themes, and then I try to accommodate

my interests to those themes. No matter the case, the essential part for me is the conversation I have with my friends. Just by saying out loud what I want to do brings more clarity

**What are your central interests at the interface of artificial intelligence and art?**

**TT** My last two works, '*Samples of Irrational Frames*' and she-appeared-excessively-"real" were made as a critique of certain aspects of AI. For '*Samples of Irrational Frames*', I used for the first time the open-source Google Colab notebooks. I was curious to see what images are generated based on text, so I tested an AI trained for visual object recognition. It ended up as a failed dialogue between me, writing the questions, and the AI giving me visual replies. Throughout those exercises, the limits and the biases of the databases that trained the neural network became very obvious, and when the AI-generated the USA flag for the word 'freedom', I knew I had to keep this as a punchline.

For she-appeared-excessively-"real" I gathered materials and followed the rise of AI-generated content targeting female/femme bodies since 2017, when they were first posted on the Reddit platform. The narration of the video links the new synthetic media constructs with Pandora's myth in an attempt to show similarities between them: having the same manufactured origin and being used as tools of revenge.

**What are you working on next?**

**TT** I'm planning to continue she-appeared-excessively-"real". I'm in the pre-production process for a second video, conceptualising a new approach. There is so much interesting material ▶

to process in the function of this work. And to be honest, I'm always working on parallel tracks. Probably, I'll end up making other things before, as it always happens.

#### What role does data protection play for you, especially in art and media?

I'm not sure anymore what data protection means now. We are at a point where we realise everything we do online is traced, stored, analysed and returned to us in ads. The monopoly that tech companies have on the Internet and the popularity of social media, which have become so associated with our lives, make it harder to go for the few alternatives and escape this vicious cycle.

As a digital artist, making my projects for and with the help of the Internet, I'm specially worried about the preservation of the pieces. I had the experience of a work of art simply disappearing. It happened when a platform developed for digital artists simply shut down without prior warning. There are already numerous cases of online businesses demolished by unjustified bans or by simple changes in the terms of the agreement or even worse, experiments with the algorithms. The fact that there's little or no assurance should raise more eyebrows in this online economy where the user is the one that does the main work. ■

You can stay up to date and see more of Taitzel Ticalos's work on her website here: <https://taitzelticalos.com/bio/bio.html>

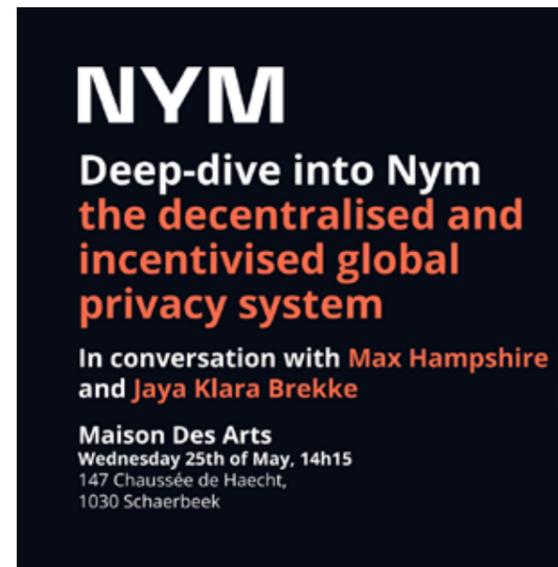
## WORKSHOP “STATE-OF-PLAY OF DE-IDENTIFICATION TECHNIQUES

Join FPF for a side event at CPDP 2022 on the “State-of-Play of De-Identification Techniques”.

This session will focus on Synthetic Data, Differential Privacy, and Homomorphic Encryption developments and feature experts in each area. Attendees will explore how each method can potentially reach anonymization and the measures and controls that organizations need to implement to supplement such protections.

- Rob van Eijk (FPF)
- Naoise Holohan (IBM)
- Lucy Mosquera (Replica Analytics)
- Sophie Stalla-Bourdillon and Alfred Rossi (Immuta)

Wednesday, 25th of May • 10:30 • Maison des Arts/Library • Workshop • Organised by Future of Privacy Forum



## DEEP-DIVE INTO NYM THE DECENTRALISED AND INCENTIVISED GLOBAL PRIVACY SYSTEM

Nym is a decentralised and incentivised privacy system that protects against metadata surveillance and large-scale traffic analysis.

In this session, participants will get an insight into the actual real live Nym main net and learn more about how this global infrastructure is run, its token economic model and how it protects privacy. We will give a short tour of the Nym wallet and Network Explorer, showing how nodes can join the network, protect privacy, and earn rewards. We will also cover how to get involved with Nym's community governance via delegated staking, and its place in the wider Nym mission to decentralise the power of the mixnet amongst network participants.

Speakers: Max Hampshire and Jaya Klara Brekke

Wednesday, 25th of May • 14:15 • Maison des Arts/Library • Workshop • organised by NYM

## PRIVACY CAMP SESSION – DIGITAL AT THE CENTRE, RIGHTS AT THE MARGINS

In January 2022, the 10th edition of Privacy Camp focused on the topic of “Digital at the centre, rights at the margins”. In total, 300 academics, activists and privacy experts attended thirteen sessions, that brought together 63 speakers and moderators from 5 continents. Together, they tackled topics like migrants' rights and border control, social justice and the case of the Dutch child benefits scandal, the impact of surveillance technologies on the gig economy and how algorithm harm connects to the the criminal legal cycle.

For CPDP 2022, the session we propose will take the conversation further. In today's transitional times, what can academia, privacy professionals, decision makers and civil society collectively do, in order to bring the voices of the most affected at the core of the debate around privacy and data protection? What steps do we need to collectively take in order to inform the political agenda with the perspective of racialised and marginalised communities, around EU regulation around digital borders, AI governance and platform regulation? How can we make space for new actors working on social and racial justice issues, in the field of privacy professionals, academia and civil society?

We will aim to answer these questions together with advocates working at national and European level, focusing on defending sex workers rights, LGBTQI+ individuals, racialised and marginalised communities as well as actors committed to a privacy-friendly society of the future.

- Moderator: Claire Fernandez, European Digital Rights (International)
- Eline Kindt, Liga voor Mensenrechten (Belgium)
- Yigit Aydin, European Sex Workers Rights Alliance (International)

Wednesday, 25th of May • 16:00 • Organised by Edri • Maison des Arts/Library •

# CPDP2022 SIDE EVENTS

Although the main program is the center of your attention, you will be surprised about the projects from the side events program. Don't forget to take some time off and wander through these art projects, workshops, breakout sessions, bookshop, or party. Like every first-generation hard drive, your brain will need some defragmentation. Maybe this program is just what you need.

## Sunday 22<sup>nd</sup> May

Time	Location	Event	Page
18:30	Area42	Opening event with NYM's Chelsea Manning and Brussels Privacy HUB	70
16:00 - 20:00	Registration next to La Cave	<b>Mind that the registration office is open, grab your lanyard and avoid the waiting lines on Monday morning</b>	

## Monday 23<sup>rd</sup> May

Time	Location	Event	Page
all day	Area42	CPDP BOOKSHOP + book lounge	71
all day	Area42	CODE2022 presentation: learn how artist and non-artist develop tools to influence politicians or tools politicians can use to influence and communicate • A collaboration between Privacy Salon, Werktank (BE), Impakt (NL) and School of Machines (DE)	76
all day	Area42	Exhibition by Effi & Amir (see page 80-82), Taietzel Ticalos (page 97-99), Marijn Bril (page 88-89), François de Coninck & Damien De Lepeleire	
all day	Maison des Arts Library	Exhibition Taietzel Ticalos video 'Shapes of Regret'	97
all day	Maison des Arts veranda	AI Justice Matrix: The Futility of Policy Craft • exhibition by Yasmine Boudiaf	83
10:30	Maison des Arts Library	Lecture by Damla Göre (Institute for the History and Theory of Architecture): Privacy and space in etiquette literature: Ottoman-Turkish adab-ı muaseret (1894-1923) • A collaboration between the Center for Privacy Studies and Privacytopia	84
11:45	Maison des Arts Library	Lecture by Niloofar Rasooli (Institute for the History and Theory of Architecture): Privacy Without Its OF: The Politics of Gender Boundaries in Iran • A collaboration between the Center for Privacy Studies and Privacytopia	84
10:30	Maison des Arts Dinner Room	Workshop: Algorithmic transparency: TikTok's role in the war in Ukraine and French election	71
11:45	Maison des Arts Dinner Room	Workshop: Algorithmic bias on YouTube during Covid and the US election	71
14:15	Maison des Arts Library	Cookie Banners, Nuisance or Necessity? • Organised by NOYB + Sustainable Computing Lab	75
16:00	Maison des Arts Library	Workshop: GDPR for SMEs: An experience of the ARC project - Aswhinee Kumar (VUB/LSTS) and Iva Katić.	75
18:30	Area42	Privacy Café: Belgian beers and AI • Organised by DPInstitute	79
19:00	Maison des Arts Library	Launch of the Data Protection Scholar Network (DPSN)	78

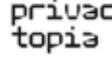
## Tuesday 24<sup>th</sup> May

Time	Location	Event	Page
all day	Area42	CPDP BOOKSHOP + book lounge	71
all day	Area42	CODE2022 presentation: learn how artist and non-artist develop tools to influence politicians or tools politicians can use to influence and communicate • A collaboration between Privacy Salon, Werktank (BE), Impakt (NL) and School of Machines (DE)	76
all day	Area42	Exhibition by Effi & Amir (see page 80-82), Taietzel Ticalos (page 97-99), Marijn Bril (page 88-89), François de Coninck & Damien De Lepeleire	
all day	Maison des Arts Library	Exhibition Taietzel Ticalos video 'Shapes of Regret'	97
all day	Maison des Arts veranda	AI Justice Matrix: The Futility of Policy Craft • exhibition by Yasmine Boudiaf	83
10:30	Maison des Arts Dinner Room	(closed session) by Cultuurconnect	
13:00	Maison des Arts Library	CODE2022 roundtable discussion: Reclaiming Digital Agency!	76
16:00	Maison des Arts Library	AI Justice Matrix: The Futility of Policy Craft • lecture by Yasmine Boudiaf, Ada Lovelace institute	83
17:15	Maison des Arts Library	YouChoose, leverages adversarial interoperability to introduce alternative recommender systems on YouTube. Speaker: Margaux Vitre	83
17:15	Maison des Arts Dinner Room	EDPL (closed session - Board meeting)	
20:30	Area42	CPDP Party organised by Mozilla 'You've got the love'	90

## Wednesday 25<sup>th</sup> May

Time	Location	Event	Page
all day	Area42	CPDP BOOKSHOP + book lounge	71
all day	Area42	CODE2022 presentation: learn how artist and non-artist develop tools to influence politicians or tools politicians can use to influence and communicate • A collaboration between Privacy Salon, Werktank (BE), Impakt (NL) and School of Machines (DE)	76
all day	Area42	Exhibition by Effi & Amir (see page 80-82), Taietzel Ticalos (page 97-99), Marijn Bril (page 88-89), François de Coninck & Damien De Lepeleire	
all day	Maison des Arts Library	Exhibition Taietzel Ticalos video 'Shapes of Regret'	97
all day	Maison des Arts veranda	AI Justice Matrix: The Futility of Policy Craft • exhibition by Yasmine Boudiaf	83
10:30	Maison des Arts Library	Workshop "State-of-Play of De-Identification Techniques". Speakers: Rob van Eijk (FPF), Naoise Holohan (IBM), Lucy Mosquera (Replica Analytics), Sophie Stalla-Bourdillon and Alfred Rossi (Immuta) • Organised by Future of Privacy Forum	99
10:30	Maison des Arts 1st floor studio	AI Justice Matrix: The Futility of Policy Craft • Workshop Yasmine Boudiaf	83
13:00	Maison des Arts Dinner Room	Annual Meeting of the CPDP Scientific Committee (closed session)	
14:15	Maison des Arts Library	Workshop "Protecting your privacy and earning rewards: using the Nym decentralised mix net and running a node" Speaker: Max Hampshire • organised by NYM	99
16:00	Maison des Arts Library	Privacy Camp session: Digital at the centre, rights at the margins	98

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**INFO, PROGRAM & REGISTRATION: [WWW.CPDPCONFERENCES.ORG](http://WWW.CPDPCONFERENCES.ORG)**

Venues: Les Halles de Schaerbeek & Area 42, Brussels, Belgium

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