

INFO & REGISTRATION
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DATES

January 16th- 17th 2009

LANGUAGE

English

AUDIENCE

Data protection authorities and officials, Art. 29 Working group members, academics, civil liberties organisations, magistrates, barristers, legal consultants, lobbyists, ...

FEE

210 euros. Conference of 2 days including handouts, coffee breaks and lunches.

ACCREDITATION

For Belgian magistrates and lawyers, accreditation has been requested.

LOCATION

Vlaams-Nederlands Huis deBuren
Leopoldstraat 6, 1000 Brussels, Belgium

T +32 (0) 2 212 19 30 • info@deburen.eu • www.deburen.eu

ITINARY

Brussels' Central Station: 10 minutes' walk from deBuren,
Leopoldstraat, near Opera La Monnaie.

public transport

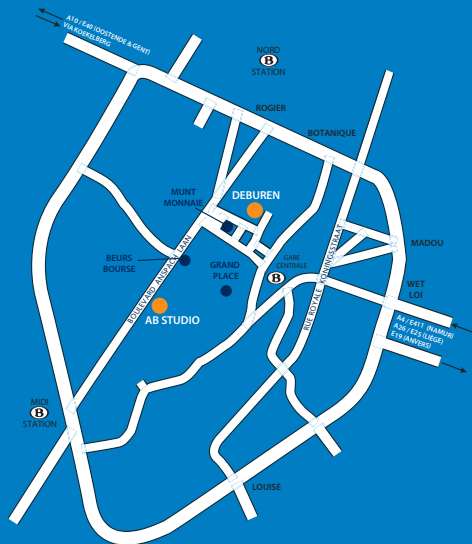
Stop 'De Brouckère' (close to Monnaie and Leopoldstr.):

- underground lines 1A & 1B and underground trams 23, 52, 55, 56, 81;
- busses 29, 60, 63, 65, 66, 71.

Stop 'Beurs/Bourse': Busses 34, 48, 95, 96.

car

Paying car parks 'Schildknaap/Ecuyer' and 'Munt/Monnaie'.



INTERNATIONAL CONFERENCE COMPUTERS, PRIVACY & DATA PROTECTION

16 & 17 JANUARY 2009 | DEBUREN BRUSSELS BELGIUM

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Data Protection in A Profiled World?



Vrije Universiteit Brussel

INSTITUT NATIONAL
DE RECHERCHE
EN INFORMATIQUE
ET EN AUTOMATIQUE



UNIVERSITEIT VAN TILBURG



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UNIVERSITEIT VAN TILBURG



Scientific Committee

Paul DE HERT (Vrije Universiteit Brussel LSTS, Tilburg University TILT)

Serge GUTWIRTH (Vrije Universiteit Brussel LSTS, Erasmus Universiteit Rotterdam)

Mireille HILDEBRANDT (Vrije Universiteit Brussel LSTS, Erasmus Universiteit Rotterdam)

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Lee BYGRAVE (University of Oslo)

Caspar BOWDEN (Microsoft EMEA)

Willem DEBEUCKELAERE (Belgian Data Protection Authority)

Claudia DIAZ (Katholieke Universiteit Leuven ESAT)

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Organised by

Vrije Universiteit Brussel, Research group on Law, Science, Technology and Society LSTS (BE)

Facultés Universitaires de Namur, Centre de Recherches Informatique et Droit CRID (BE)

Institut National de Recherche en Informatique et en Automatique INRIA (FR)

Tilburg University, Tilburg Institute for Law, Technology, and Society TILT (NL)

&

Vlaams-Nederlands Huis deBuren, Brussels (BE)



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Marleen WYNANTS (Vrije Universiteit Brussel Crosstalks)

Mission Statement CPDP

The annual Conference

Computers, Privacy and Data Protection

aims to create a bridge between
policymakers, academics, practitioners and activists.

Objectives CPDP

- 1 Identifying and addressing new challenges to be faced by computer privacy and data protection, especially with regards to issues related to profiling and autonomic computing,
- 2 Bringing together, in a high level expertise conference, most of the academic key specialists in the field, data protection commissioners, computer scientists, practitioners, activists and people from standardization bodies and ICT industries,
- 3 Addressing recommendations to private and public policy makers in the context of the E.U. Privacy Law and the E.U. Data Protection Directive Review.

Concept of the Conference

12 Panel sessions on Friday and Saturday (page 5 to 10)
1 Parallel Reading panel for a pre-registered audience (page 10 to 11)
Pecha Kucha Night: Free Friday evening event (page 11)

Note This programme was carefully put together. Printing errors, modifications, or last-minute changes are not impossible. * Some speakers still need to be confirmed.

Friday January 16th 2009

1st Day – Morning Session

- 9.00 **Against Multitasking: Why no Wifi and (almost) no Parallel Sessions**
- Speaker** Paul DE HERT, Professor of Law, Research group LSTS, Vrije Universiteit Brussel (BE), Assistant Professor, University of Tilburg TILT (NL)
- 9.15 **Why Governments in IT fail to take Privacy and Security serious?**
- Speaker** Bart JACOBS, Professor, Radboud University Nijmegen (NL)
- 9.30 **Data Breaches by Government Departments and Problems with E-Voting**
- There is evidence of a widespread problem within governments relating to establishing systems for data protection and operating them adequately. In the UK 5 million private records were lost by Her Majesty's Revenue and Customs and in the Netherlands many governmental systems were 'hacked' by academics. In many countries, the use of electronic voting machines in elections has become controversial. Both in the US and the Netherlands, devices without 'paper trail' have been decertified. Meanwhile, rapidly modernising Estonia allows its citizens to cast their votes through internet, apparently without triggering disaster.
- Panel hosted by Claudia DIAZ, ESAT, K.U. Leuven (BE)
- Panel** Rop GONGGRIJP, founder XS4ALL (NL)
Eddan KATZ, International Affairs Director, Electronic Frontier Foundation (USA)
Wolter PIETERS, Information Security Researcher, University of Twente (NL)
Melanie VOLKAMER, Research Manager, CASED, Technical University of Darmstadt (DE)
- 10.30 Coffee break
- 10.45 **What was on the Law Firms' Agenda in 2008?**
- Law firm lawyers have perhaps the broadest overview of data protection and privacy issues that occur in the private sector. This panel comprises four leading practitioners discussing the main data protection issues they have dealt with during 2008.
- Panel hosted by Christopher KUNER
- Panel** Daniel COOPER, Lawyer, LF Partner, Covington & Burling (UK)
Jan DHONT, Lawyer, Lorenz (BE)
Christopher KUNER, Chair, International Chamber of Commerce Data Protection Task Force, Head International Privacy and Information Management Practice, Hunton & Williams (BE)
Tanguy VAN OVERSTRAETEN, Partner and Global Head of Privacy, Linklaters LLP (BE)

11.45 **What was on the European Commission's Agenda in 2008?**

This panel presents an overview of the main proposals advanced by the European Commission in 2008, as well as the relevant topics and issues raised by such proposals.

Panel hosted by Alain BRUN

- Panel** Christiane BERNARD, DG Enterprise and Industry, Security Research, Research Executive Agency (REA), European Commission (EUR)
Alain BRUN, Head of Unit for Citizenship and Fundamental Rights, DG Justice, Liberty and Security, European Commission (EUR)
Achim KLABUNDE, Team Leader Privacy, Trust and related Issues in Electronic Communications Policy, DG Information Society and Media, European Commission (EUR)
Tamás András MOLNÁR, Head of Unit Enforcement and Consumer Redress, European Commission (EUR)
Péteris ZILGALVIS, Head of Unit, DG Legal Affairs, European Commission (EUR)

12.45 Lunch

Friday January 16th 2009

1st Day – Afternoon Session

14.00 **What was on the US and Canadian Agendas in 2008?**

The panel offers an overview of the main proposals and initiatives advanced in the US and Canada during 2008, as well as the relevant topics and issues raised by such proposals. The panel also looks at the European reaction to these initiatives and tries to understand the many existing transatlantic conflicts.

Panel hosted by Jay STANLEY

- Panel** Eddan KATZ, International Affairs Director, Electronic Frontier Foundation (USA)
Katitza RODRIGUEZ, Director, EPIC International Privacy Project (USA)
Jay STANLEY, Director of Public Education of Technology and Liberty Program, American Civil Liberties Union (USA)
Erik VALGAEREN, Lawyer-Partner, Head of Technologies, Medias & Telecom, Stibbe (BE)

14.55 **What was on the National Data Protection Authorities Agendas in 2008?**

European data protection law has become influential outside the EU. Countries such as Argentina, Japan and New Zealand have adopted privacy law that show influence from the European model. A central tenet of EU data protection law is the national data protection authority. All these authorities deal with an impressive data protection case load and deliver reports and opinions that are often very valuable.

Panel hosted by Willem DEBEUCKELAERE

- Panel** Willem DEBEUCKELAERE, Chairman, Commission de la Protection de la Vie Privée (BE)
Jacob KOHNSTAMM, Chairman, Dutch Data Protection Authority (NL)
Gwendal LE GRAND, Head of IT Experts Department, Commission Nationale de l'Informatique et des Libertés (FR)
Vanna PALUMBO, Head of International and Community Matters, Data Protection Authority (IT)

15.50 Coffee break

16.10 **What was on the Institutions of Technology Assessment Agendas in 2008?**

During the last years, most European parliaments have relied on institutions that support policymaking about new scientific and technological developments. They are united in the European Parliamentary Technology Assessment Network (EPTA). They try to chart the promises as well as the challenges posed by technological developments, in either ethical, medical, socio-economic, cultural and ecological spheres. They carry on research projects and expert polls by using participative methods and techniques that allow gauging the public opinion.

In this panel a selection of such researches on privacy issues will be presented. Panel hosted by Johann CAS, Institute of Technology Assessment of the Austrian Academy of Sciences ITA (AT)

- Panel** Sergio BELLUCCI, Director, TA-Swiss Centre for Technology Assessment (CH)
Robby BERLOZNIK, First Director, Vlaams Instituut voor Wetenschappelijk en Technologisch Aspectenonderzoek viWTA (BE)
Christine HAFSKJOLD, PRISE Project Manager, Norwegian Board of Technology (NO)

20.20 **Pecha Kucha Night**

Free Friday evening event (See page 11)

Saturday January 17th 2009

2nd Day – Morning Session

9.00 **Beyond Data Protection traditional legislations: The e-Privacy Directive**

- Speaker** Yves POULLET, Professor of Law, Centre de Recherches Informatique et Droit CRID, Université de Namur FUNDP (BE)

9.15 **Profiling the European Citizen**

- Speaker** Serge GUTWIRTH and Mireille HILDEBRANDT, Professors of Law, Research group LSTS, Vrije Universiteit Brussel (BE), Universiteit Rotterdam (NL)

9.30 **Profiling and Transparency in Privacy and Surveillance Systems: The Search for Proportionality**

One of the most challenging issues of the information society is the accelerating accumulation of data trails in transactional and communication systems which may be used to profile the behaviour of individuals for commercial and law enforcement purposes. The legal constraints on the collection and use of such data vary considerably across different privacy regimes, but in the EU are ultimately governed by the interpretation of the concepts of proportionality and necessity in human rights and Data Protection law. There are also empirical questions about whether data-mining techniques to extract economic value from profile data also may be applicable to public security and law enforcement scenarios. The social, technical, political, economic and legal implications of such technologies need to be addressed urgently, particularly in the context of the future agendas of ubiquitous (or pervasive) computing and law enforcement public security programs premised on the availability and utility of such data.

Saturday January 17th 2009

2nd Day – Afternoon Session

Panel hosted by Caspar BOWDEN, Chief Privacy Advisor Technology office, Microsoft EMEA (UK)

Panel Fred H. CATE, Professor, School of Law, Director, Centre for Applied Cybersecurity Research, Indiana University (US)
Sophie IN'T VELD, Member of the European Parliament (EUR)
Gordon NARDELL, Solicitor, 39 Essex Street, Liberty (UK)
Tal ZARSKY, Professor, Haifa University (IS)

10.45 Coffee break

11.00 **Reform of e-Privacy Regulations in the EU**

The discussions on the review of Directive 2002/58/EC (the 'e-Privacy Directive') have hinted at some of the most urging issues to be addressed for an enhanced protection of personal data and privacy in the fast evolving world of electronic communications. The advent of the ubiquitous information society might however require a far more ambitious response from the European legislator. What are the pending issues still to be solved? Which new challenges require action during the following years? Which innovative approaches shall be imagined? The debate has only started.

Panel hosted by Yves POULLET and Gloria GONZALEZ FUSTER

Panel Rosa BARCELO, European Data Protection Supervisor (EDPS)
Paul DE HERT, Serge GUTWIRTH, Professors, Vrije Universiteit Brussel LSTS (BE)
Gloria GONZALEZ FUSTER, Researcher, Vrije Universiteit Brussel (BE)
Yves POULLET, Professor of Law, Université de Namur FUNDP, CRID (BE)
Steve SAXBY, Professor of IT Law, Public Policy Solicitor, University of Southampton (UK)

12.00 **Surveillance in Germany: Strategies and Counterstrategies**

Germany appears to be one of the main fora of legal, technical and political discussions on new surveillance measures. In early 2008, the German Federal Constitutional Court delivered 3 important judgements on governmental surveillance and privacy. Not only the Court ruled against those measures but also established a new 'fundamental right to confidentiality and integrity of information technology systems'. A new civil rights movement arose, campaigning for personal and societal privacy and promoting protest marches. At the same time, there are strong promoters of new surveillance measures and competences for security agencies, among them the Federal Minister of Interior Affairs.

Panel hosted by Gerrit HORNUNG

Panel Ralf BENDRATH, PhD Researcher, Delft University of Technology (NL)
Gerrit HORNUNG, Assistant Professor, University of Kassel (DE)
Andreas PFITZMANN, Head of Privacy and Security Group, Professor, Dresden, University of Technology (DE)
Anselm RODENHAUSEN, Researcher, University of Münster (DE)

13.00 Lunch

14.00 **Facebook and other Social Networks**

Social Network Sites (SNS) have become the number one websites for sharing information, organizing events and getting your ideas out to the world. Recently, SNS have been used to support the American presidential campaigns and to smuggle photos of the natural disaster out of the country of Myanmar. However, the centralized collection, processing and dissemination of such a large amount of identity-relevant information has led to increased disclosure of sensitive information, identity theft and physical and mental harm. This calls for a thorough consideration of why we should restrain access to our identity-relevant information and how a concept of 'privacy' in Social Network Sites could be developed.

Panel hosted by Cécile DE TERWANGNE and Franck DUMORTIER

Panel Cécile DE TERWANGNE, Professor, Université de Namur FUNDP, CRID (BE)
Franck DUMORTIER, PhD Researcher, Université de Namur FUNDP, CRID (BE)
Ronald LEENES, Associated Professor, University of Tilburg TILT (NL)
Marc ROTENBERG, Executive Director, Electronic Privacy Information Center (USA)

14.55 Coffee break

15.10 **Europol, Eurojust, Prüm and Beyond: New Developments in Justice and Home Affairs**

The Area of Freedom, Security and Justice is a key priority in the European Union agenda and therefore one of the most dynamic fields in terms of policy making. Currently, it is undergoing a number of significant changes that affect the balance between human rights and security. In this area, it is crucial that attention be paid to the impact on freedom of measures taken in the name of security and justice at all the levels of governance in the EU. CPDP will therefore schedule a regular panel in the years to come with a selection of issues.

Panel hosted by Diana ALONSO BLAS and Rocco BELLANOVA

Panel Diana ALONSO BLAS, Data Protection Officer, Eurojust (EUR)
Rocco BELLANOVA, PhD Researcher, Vrije Universiteit Brussel LSTS, Facultés Universitaires Saint-Louis CReSPo (BE)
Daniel DREWIER, Head of Information Integrity Unit, Europol (EUR)
Sylvia KIERKEGAARD, Editor-in-chief Intl. Journals of Law, Professor, International Association of IT Lawyers IAITL, University of Southampton (UK)
Herke KRANENBORG, Legal Officer at the EDPS office (EUR)
Evert F. STAMHUIS, Professor, Open University Heerlen (NL)

16.10 Privacy by Design: Utopia or Possible Future?

'Privacy by design' is often praised by lawyers as an essential step towards better privacy protection. In a world where privacy is increasingly jeopardized by information and communication technologies, the general view is that part of the remedy should come from technologies themselves. Such a view is shared and fostered by the European Commission that is calling for a growing introduction of PETs in the private sector. Notwithstanding years of research on the PETs' techniques have enjoyed limited commercial success.

This panel will address this gap between a more or less consensual view that privacy by design should be encouraged and its lack of impact on ICT systems that are on the market.

Panel host Daniel LE MÉTAYER, Research Director, INRIA (FR)

- Panel** Laurent BESLAY, Administrator, Technology Officer, European Data Protection Supervisor EDPS (EUR)
- Kirsten BOCK, Assessor Jur., Senior Project Manager EuroPriSe, International e-Government Coordinator, Unabhängiges Landeszentrum für Datenschutz Schleswig Holstein ULD (DE)
- Seda GÜRSES, PhD Researcher, Research Group Computer Sciences, K.U. Leuven (BE)
- Marc LANGHEINRICH, Assistant Professor Computer Science, Faculty of Informatics, University of Lugano (CH)

17.10 Closing Remarks

- Speaker** Peter HUSTINX, Supervisor, European Data Protection Supervisor EDPS (EUR)

Free evening event Pecha Kucha Night Friday January 16th 2009 20:20

Ancienne Belgique, AB Studio, Av. Anspachlaan 110, 1000 Brussels

What is Pecha Kucha? Pecha Kucha was conceived in 2003 by Astrid Klein and Mark Dytham (Klein Dytham architecture), for their nightclub Superdeluxe in Tokio as a platform for young designers to meet, network, and show their work in public.

Each presenter is allowed 20 images, each shown for 20 seconds, giving 6 minutes 40 seconds of fame before the next presenter is up.

This keeps presentations concise, the interest level up, and gives more people the opportunity to present their work or project.

Pecha Kucha (which is Japanese for the buzz of conversation) has tapped into a demand for a forum in which creative work can be easily and informally shown, without having to rent a gallery or chat up a magazine editor. The Brussels format is extended to scientific researchers, fashion designers, photographers, musicians and creative entrepreneurs.

Speakers on January 16th will range from graphic design and photography to biotech, music, robots, the chaos computer club and philosophy. Our longlist: Louis De Cordier & Sarah Pillen (Artists)*, Michaël Samyn @ Auriea Harvey (Tale of Tales)*, Laurence Rassel & Femke Snelting (Constant)*, Jan Steyaert (VUB-3D modelling & biotech & patents), Tim Pritlove (Chaos Computer Club, Berlin), Verena Hafner (Flying Robots, Berlin), Stoffel Debuysere (DiagonalThoughts), Jaromil (Rastasoft)*, Guy Bindels (Gonzo, Beursschouwburg), JLouis Again (Brussels), Tony BUNYAN (Statewatch), Angelo Vermeulen (Artist/biologist/author).

Free but limited participation. Registration mandatory.

No Cameras Allowed.

Privacy party with GONZO DJ's (21.45 - 03.00)

<http://pechakucha.architempo.net>

READING PANEL Autonomic Computing,

ONEDAY SESSION FRIDAY JANUARY 16th 2009 (9:30 - 17:00) - LIMITED PARTICIPATION !

- Participants **must register in advance** with the organisers: mireille.hildebrandt@vub.ac.be, antoinette.rouvroy@fundp.ac.be.
- Participants **are expected to have read the texts** under discussion.

Autonomic computing and ambient intelligence raise a number of pertinent philosophical issues around human identity in relation to its human and nonhuman environment.

These issues may find their litmus test in the implications for law and for constitutional self-government, or democracy. Discussions of such issues within legal philosophy and legal theory could benefit from explorations of the theme by philosophers of technology, and enrich current debates in the field of philosophy of technology. For this reason we bring together a roundtable of philosophers from both disciplines around the thematic of autonomic computing, human identity and legal subjectivity.

Panel hosted by Mireille HILDEBRANDT and Antoinette ROUVROY.

- Panel** Roger BROWNSWORD, Professor of Law, King's College, Director of London Centre of Technology, Ethics and Law in Society TELOS (UK)*

Human Identity and Legal Subjectivity

- Rafael CAPURRO, Professor of Information Ethics, Stuttgart Media University (DE)
- Jos DE MUL, Professor of Philosophy, Erasmus University Rotterdam (NL)
- Massimo DURANTE, Professor, University of Turin (IT)
- Mireille HILDEBRANDT, Senior Researcher, Vrije Universiteit Brussel LSTS, Professor, University of Rotterdam (NL)
- Don IHDE, Professor of Philosophy, Stony Brook University NY, Director of Technoscience Research Group (USA)
- Jannis KALLINIKOS, Professor, London School of Economics (UK)
- Hyo Yoon KANG, Researcher, Max Planck Institute for the History of Science (DE)
- Paul MATHIAS, Professor of Philosophy, Lycée Henri IV Paris, Program Director, Collège International de Philosophie Paris (FR)
- Stefano RODOTÀ, Professor of Law, Università La Sapienza di Roma (IT)
- Antoinette ROUVROY, Professor, Centre de Recherche Informatique et Droit CRID, Université de Namur (BE)
- Peter-Paul VERBEEK, Professor of Philosophy, University of Twente (NL)