



International Association of Constitutional Law
Research Group on Constitutional Responses to Terrorism

“Surveillance, Privacy and Transnational Relations in the Digital Era”

Institut d’Etudes Européennes - Université Libre de Bruxelles

12 and 13 March 2015

Thursday, 12 March

Opening remarks (13:30 - 14:00)

Prof. Anne Weyembergh (President of the Institut d’Etudes Européennes – Université Libre de Bruxelles)

Prof. David Cole (Chair of the IACL Research Group on Constitutional Responses to Terrorism)

Dr. Christiane Höhn (Legal Advisor to the EU Counter-Terrorism Coordinator)

Panel 1: The European Court of Justice Data Retention case and its aftermath (14:15 - 15:45)

Chair: Prof. David Cole (Georgetown University)

Prof. Tuomas Ojanen (University of Helsinki) “Electronic (Mass)surveillance in the post-*Digital Rights Ireland* era”

Prof. Federico Fabbrini (University of Copenhagen) “Human rights in the digital era: The ECJ ruling in the Data Retention case and its lessons for privacy and surveillance in the US”

Ass. Prof. Arianna Vidaschi (University of Bocconi) and Mr. Gabriele Marino (PhD researcher, University of Exeter), “From DRD to PNR: Looking for a new balance between privacy and security?”

Panel 2: Snowden’s revelations and their aftermath (16:00 – 17:30)

Chair: Prof. Anne Weyembergh (Université Libre de Bruxelles)

Prof. Stephen J. Schulhofer (New York University) “Informational privacy in a world of territorial Catch-22”

Prof. Christopher Slobogin (Vanderbilt University) “Domestic Surveillance of Public Activities and Transactions with Third Parties: Melding European and American Approaches”

Prof. Emilio De Capitani (University of Naples and Former Secretary of the European Parliament Civil Liberties Committee) “The European Parliament and concerns for Surveillance”

Dinner for speakers, and commentators

Friday, 13 March

Panel 3: Protection of privacy: transnational convergence or divergence in the use of surveillance techniques? (9:15 – 10:45)

Chair: Ms. Mylène Bouzigon (to be confirmed)

Dr. Cian C. Murphy (King's College London) "A Call to surveillance: UN Security Council Resolution 2178 as Transnational Counter-Terrorism Law"

Dr. Elaine Fahey (University of Amsterdam) "Regime interaction and comparative learning in cybercrime and security rule-making: EU law, EU-US relations, US and international law as postnational rule-making"

Dr. Bilyana Petkova (New York University) "Privacy federalism: Competing models of privacy regulation in the EU and the US?"

Prof. Jonathan Hafetz (Seton Hall University) "Corporations, bulk data collection and the right to privacy"

Panel 4: Worldwide experiences of surveillance and transfer of information: challenges and prospects (11:00 – 12:45)

Chair: Mr. Wouter Van De Rijt (Principal Administrator, General Secretariat of the Council of the European Union)

Dr. Begum Bulak (University of Geneva) "Preventive surveillance, data protection and the rule of law in Turkey with regard to European Standards"

Prof. David Bilchitz (University of Johannesburg) "Privacy, Surveillance and the Duties of Corporations in South Africa"

Prof. Andréa Queiroz Fabri and Mr. Carlos Eduardo do Nascimento (University of Uberaba) "Communications security in an insecure world: Is there a solution?"

Ms. Céline Cocq (Institute of European Studies – Université Libre de Bruxelles) "Making intelligence and information sharing a reality in an ASEAN Security Community: dream or prospect?"

Lunch for all attendees (12:45 – 14:00)

Keynote Speech Keynote speech (14:00-14:45)

Peter Hustinx (Former European Data Protection supervisor)

Panel 5: Surveillance and oversight: balance or complementarity? (15:00 – 16:30)

Chair: Prof. Federico Fabbrini

Ms. Hilde Bos-Ollerman (Secretary to Review Committee for the Intelligence and Security Services in the Netherlands) "Mass surveillance and oversight"

Prof. Marc Rotenberg (Georgetown University and President of EPIC) "In re EPIC and the Role of NGOs and Experts in Surveillance Cases"

Dr. Francesca Galli (University of Maastricht) "Law enforcement data retention and EU constitutional principles: reinventing a common framework?"

